

The PRESIDING OFFICER. Without objection, the nominations of postmasters on the calendar are confirmed en bloc.

That completes the Executive Calendar.

RECESS

The Senate resumed legislative session.

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 p. m.) the Senate took a recess until tomorrow, Wednesday, August 4, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 3 (legislative day of July 22), 1937

UNITED STATES DISTRICT JUDGE

Eugene Rice, of Oklahoma, to be United States district judge for the eastern district of Oklahoma, to fill an existing vacancy.

UNITED STATES ATTORNEY

Clyde O. Eastus, of Texas, to be United States attorney for the northern district of Texas. (Mr. Eastus is now serving in this office under an appointment which expired June 13, 1937.)

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

The following-named citizens to be second lieutenants in the Marine Corps, revocable for 2 years, from the 1st day of July 1937:

Keith B. McCutcheon, a citizen of Pennsylvania.

Donald N. Otis, a citizen of Massachusetts.

William F. Prickett, a citizen of Oklahoma.

David W. Silvey, a citizen of Indiana.

Marine Gunner Kennard F. Bubier to be a chief marine gunner in the Marine Corps, to rank with but after second lieutenant, from the 26th day of June 1937.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 3 (legislative day of July 22), 1937

UNITED STATES ATTORNEYS

Clyde O. Eastus to be United States attorney for the northern district of Texas.

Berthold J. Husting to be United States attorney for the eastern district of Wisconsin.

WORKS PROGRESS ADMINISTRATION

J. Banks Hudson to be State administrator in the Works Progress Administration for Pennsylvania.

SOCIAL SECURITY BOARD

Frank Bane to be Executive Director.

John J. Corson to be Assistant Executive Director.

Thomas I. Emerson to be principal attorney.

Gladys A. Harrison to be regional attorney, region VIII, Minneapolis, Minn.

LeRoy Hodges to be Director of Bureau of Federal Old Age Benefits.

Helen R. Jeter to be Chief, Public Assistance Statistics Division.

William R. Williamson to be an actuarial consultant.

Alanson W. Willcox to be assistant general counsel.

POSTMASTERS

KANSAS

Blanche Jacobs, Gorham.

MAINE

Norman W. Hult, Cumberland Center.

NEW JERSEY

Louis Quinby, Longport.

WASHINGTON

William F. Gorman, Burlington.

WISCONSIN

Paul Mlodzik, Cudahy.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 3, 1937

The House met at 12 o'clock noon.

Rev. A. F. Poore, of the Waugh Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Almighty God, we come to Thee in the name that is above every name. We bless Thee, we worship Thee, we praise Thee, we laud and magnify Thy holy name.

We thank Thee for this day, we thank Thee for this place, we thank Thee for our leaders.

Grant us clarity of thought, breadth of vision, wings for our imagination, love for the human race.

Help us to be motivated by the words of the prophet: To do justly, to love mercy, and to walk humbly with God, that our Nation shall keep her place in the sun.

Lead us, Son of Man, even though it be by the sacrificial way, into the wealth of the Father's love. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On July 21, 1937:

H. R. 730. An act for the relief of Joseph M. Clagett, Jr.;

H. R. 3634. An act for the relief of Noah Spooner; and

H. R. 1377. An act for the relief of Walter T. Karshner, Katherine Karshner, Anna M. Karshner, and Mrs. James E. McShane.

On July 22, 1937:

H. R. 2332. An act for the relief of William Sulem;

H. R. 2562. An act for the relief of Mr. and Mrs. David Stoppel; and

H. R. 7562. An act to create the Farmers' Home Corporation, to promote more secure occupancy of farms and farm homes, to correct the economic instability resulting from some present forms of farm tenancy, and for other purposes.

On July 23, 1937:

H. R. 1945. An act for the relief of Venice La Prad; and

H. R. 2565. An act to confer jurisdiction on the Court of Claims to hear, determine, and enter judgment upon the claims of contractors for excess costs incurred while constructing navigation dams and locks on the Mississippi River and its tributaries.

On July 26, 1937:

H. R. 3408. An act to amend the Civil Service Act approved January 16, 1883 (22 Stat. 403), and for other purposes.

On July 28, 1937:

H. R. 6402. An act for the relief of Emory M. McCool, United States Navy, retired;

H. R. 6496. An act granting the consent of Congress to the State of Montana, or the counties of Roosevelt, Richland, and McCone, singly or jointly, to construct, maintain, and operate a free highway bridge across the Missouri River, at or near Poplar, Mont.;

H. R. 6636. An act granting the consent of Congress to the county of Carroll, in the State of Indiana, to construct, maintain, and operate a free highway bridge across the Wabash River at or near Lockport, Ind.;

H. R. 6920. An act granting the consent of Congress to the Commonwealth of Massachusetts, Middlesex County, and the city of Lowell, Mass., or any two of them, or any one of them, to construct, maintain, and operate a free highway bridge across the Merrimack River at Lowell; and

H. R. 7641. An act to authorize the attendance of the Marine Band at the National Encampment of the Grand Army of the Republic, to be held at Madison, Wis., September 5 to 10, inclusive, 1937.

On July 29, 1937:

H. R. 7017. An act to amend section 4450 of the Revised Statutes of the United States, as amended by the act of May

27, 1936 (49 Stat. 1380, 1383; U. S. C., 1934 ed., title 46, sec. 239).

On July 30, 1937:

H. R. 1961. An act to authorize the conveyance by the United States to the State of Wisconsin of a portion of the Twin River Point Lighthouse Reservation, and for other purposes;

H. R. 6358. An act to amend section 107, as amended, of the Judicial Code so as to eliminate the requirement that suitable accommodations for holding court at Columbia, Tenn., be provided by the local authorities;

H. J. Res. 365. Joint resolution authorizing Federal participation in the Seventh World's Poultry Congress and Exposition to be held in the United States in 1939;

H. R. 1086. An act for the relief of Weymouth Kirkland and Robert N. Golding;

H. R. 3251. An act for the relief of Joseph A. Rudy;

H. R. 4246. An act for the relief of N. C. Nelson;

H. R. 4896. An act to authorize a preliminary examination and survey of Cayuga, Buffalo, and Cazenovia Creeks, N. Y., with a view to the control of their floods;

H. R. 5040. An act to provide for the establishment of a Coast Guard station at or near Beaver Bay, Minn.;

H. R. 5140. An act to provide for the establishment of a Coast Guard station at or near St. Augustine, Fla.;

H. R. 5552. An act to provide for the relinquishment of an easement granted to the United States by the Green Bay & Mississippi Canal Co.;

H. R. 6899. An act to repeal the limitation on the sale price on the old post-office and courthouse site and building at Fourth and Chestnut Streets, Louisville, Ky.;

H. R. 6916. An act to amend the laws relating to enlistments in the Coast Guard, and for other purposes;

H. R. 7401. An act to authorize the Secretary of Commerce to convey to the Commissioners of the Palisades Interstate Park, a body politic of the State of New York, certain portions of the Stony Point Light Station Reservation, Rockland County, N. Y., including certain appurtenant structures, and for other purposes; and

H. R. 7611. An act to adjust the pay of certain Coast Guard officers on the retired list who were retired because of physical disability originating in line of duty in time of war.

On August 2, 1937:

H. R. 6906. An act to impose an occupational excise tax upon certain dealers in marihuana, to impose a transfer tax upon certain dealings in marihuana, and to safeguard the revenue therefrom by registry and recording;

H. R. 7564. An act to permit the erection of the *Shenandoah* Memorial in or near Ava, Ohio; and

H. R. 1561. An act for the protection of oyster culture in Alaska.

LEAVE TO ADDRESS THE HOUSE

Mr. JONES. Mr. Speaker, I ask unanimous consent that on Friday next, after the legislative program of the day is out of the way, I may be permitted to address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. RICH. Mr. Speaker, reserving the right to object, I hope the gentleman will tell us how we are going to get farmers to carry on without being regulated so much.

The SPEAKER. Is there objection?

There was no objection.

Mr. SWOPE. Mr. Speaker, I ask unanimous consent that on Thursday next, following the special order already granted my colleague the gentleman from Pennsylvania [Mr. DITTER], I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that I may address the House today for 15 minutes after the address of the gentleman from Missouri [Mr. CANNON], and after the disposition of business on the Speaker's table and the business of the day.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

COTTON

Mr. FORD of Mississippi. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. FORD of Mississippi. Mr. Speaker, I rise at this time to call the attention of the House to the situation which now confronts the southern cotton farmer with reference to the marketing of the 1937 cotton crop. Cotton closed yesterday at 10.89 cents a pound, which is 1.77 cents a pound below the price of a year ago today, for the average on 10 southern markets on August 3, 1936, was 12.66 cents a pound for $\frac{7}{8}$ -inch Middling cotton. This is approximately \$8.85 a bale above yesterday's closing quotation.

Despite this decline in the price of his product the farmer has been forced to meet increased production costs, and the cost of his necessities has greatly increased.

It is my opinion, after careful study, that the Secretary of Agriculture now has sufficient authority, already granted by Congress, to successfully meet the problem. Under laws now in force the Secretary of Agriculture can arrange for such loans on the 1937 crop as will result in the farmer receiving at least 12 cents a pound for this year's production, or he can provide for subsidies paid directly to the farmer which will accomplish practically the same result.

I am, therefore, taking it upon myself, as one of the Members representing a cotton-growing constituency, to ask my colleagues who represent cotton producers to meet in the caucus room tomorrow morning at 10 o'clock in order that we may discuss this matter fully and prepare to take immediate united action.

EXTENSION OF REMARKS

Mr. STACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a communication from the American Federation of Labor.

The SPEAKER. Is there objection?

There was no objection.

Mr. DREW of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

Mr. RAYBURN. Mr. Speaker, under the statement I made yesterday I feel compelled to object. Therefore, I object.

INTER-AMERICAN RADIO CONFERENCE

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State to the end that legislation may be enacted authorizing an appropriation of the sum of \$15,000, or so much thereof as may be neces-

sary, for the expenses of participation by the United States in the Inter-American Radio Conference to convene at Habana November 1, 1937.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, August 3, 1937.

JEFFERSON MEMORIAL, ST. LOUIS

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I am introducing today a resolution asking the Speaker to appoint a committee of three members to go to St. Louis and investigate the Jefferson Memorial proposition and make a report to this House before the adjournment of Congress. I am introducing that resolution now and will ask for its immediate consideration, in view of the fact that nobody has answered any one of the eight speeches I have made on this subject; nobody even from Missouri has arisen to defend it. In view of these facts I think we are entitled to an investigation, and we promise in the resolution that it will not cost the Government a dollar.

Gentlemen, you may think I am unduly annoying in my frequent repetition of this proposal, but \$30,000,000 is involved. If by extreme concentration and persistence we can arouse enough interest so that it will react for a reconsideration by the President and this project abandoned or set aside, it will be worth the effort of one's life. All that is necessary to accomplish this purpose is to effect a congressional investigation. We should do it now before this Congress is adjourned. This committee could go to St. Louis for a few days, study the question intently for a week and be ready to make a report. The friends of economy and fair play will be chagrined to know that unanimous consent was denied the immediate consideration of the following resolution which I have introduced today:

Resolved, That the Speaker appoint a select committee of three Members of the House, and such committee is authorized and directed to investigate each and every circumstance and action looking to the construction of the proposed memorial to Thomas Jefferson in the city of St. Louis, Mo., from its inception to the present time.

Said committee shall ascertain by what authority, if any, said memorial was proposed, the estimated total cost thereof, what amount already has been expended and for what purpose and by whom, and from what fund such expenditures were made. Also the location in said city of the site for said memorial and by whom selected and the contemplated cost of such site, and thoroughly to investigate all aspects of the said proposed memorial.

Said committee shall report its findings and recommendations to the House before the adjournment of the present session of Congress.

Said committee is authorized to receive and expend such contributions of money from private sources as may be made and received by it to defray the expenses of its investigation and to account for the same in its report.

Mr. Speaker, on several previous occasions I have directed the attention of the House to the fraud and corruption which has been disclosed in the attempt of the St. Louis real-estate promoters to unload 37 blocks of business property in downtown St. Louis onto the Federal Government as the site for the proposed \$30,000,000 second memorial to Thomas Jefferson in that city.

The National Park Service, acting solely under authority of an Executive order issued by the President December 21, 1935, are now proceeding with the condemnation of this property as the first step in the actual construction of the memorial for which the President has set aside the sum of \$6,750,000 of work-relief funds, which, together with \$2,250,000, the proceeds of a fraudulent bond-issue election, makes but \$9,000,000—barely enough to buy the site presently available.

As before stated, this project has never been officially authorized by this or any preceding Congress.

It is, however, the most remarkable example of the misuse of work-relief funds as a springboard to inaugurate an-

other wasteful project without the sanction of Congress and in violation of the law as I understand it.

Today it will be my endeavor to present another aspect of this memorial matter. Quite recently 42 tenants and owners of buildings and property in this 37 block area which the National Park Service now seek to condemn, filed suit in the United States District Court at St. Louis asking for a temporary restraining order and a trial of the issues raised on their merits.

The suit came before Federal Judge Charles B. Davis, who on July 8, denied the petition for a temporary restraining order and several days later filed with the clerk of the court his findings of fact and conclusions of law in the matter. The plaintiffs in this action had set up in their petition that there was no authority vested in the President to allocate funds appropriated by the Emergency Relief Appropriation Act of April 8, 1935, except for the specific purposes and to the specific uses mentioned in the act itself, which did not include the use of funds for the preservation of historic sites. The plaintiffs also contended, among other things, that the Historic Sites and Buildings Act of August 21, 1935, is not a relief act and definitely forbids the use of Federal funds, except and until appropriated by the Congress for the specific purposes of this act.

It was pointed out to the court that the building of this memorial in St. Louis with money appropriated for relief, but proceeding under the Historic Sites Act solely on the order of the President, constitutes an unlawful assumption of constitutionally delegated powers over certain legislative matters reserved to the Congress.

The matter of election frauds was given no consideration whatsoever, as far as I can understand. In the findings of fact and conclusions of law filed by Judge Davis the court held the intended acts of the defendants—the National Park Service et al.—are legal; that the Secretary of the Interior had under authority of the Historic Sites Act found and determined the river-front area comprised a historic site; that the city of St. Louis on May 15, 1936, had paid into the United States Treasury \$2,250,000—money from the fraudulent election—and that the Secretary of the Interior had accepted the payment. The court found that the Federal and city officials were about to proceed with the project; that the Historic Sites Act was constitutional; and that the allotment of relief funds was authorized by Congress and was constitutionally made. These are the findings of the court as reported in part by the newspapers of St. Louis.

Mr. Speaker, I do not believe these findings of Judge Davis are supported by either the law or the intent of this Congress. Let me again review the situation for you.

The Emergency Relief Appropriation Act of 1935 became a law April 8, 1935. By it \$4,800,000,000 was appropriated for "relief, work relief, and to increase employment by providing for useful projects."

Remember, my friends, only \$300,000 of this first \$9,000,000 now in the hands of the National Park Service will be spent for skilled and unskilled labor. Therefore this second memorial to Jefferson in St. Louis can in no wise be classified as either a necessary, useful, or work-relief project, for the appropriation act itself stipulates that not less than 25 percent of loans or grants to municipalities must be spent for work under each particular project.

The next thing to keep well in mind is the fact that more than 4 months after the passage of the Emergency Relief Appropriation Act the Historic Sites Act became a law on August 21, 1935. Thus it is seen that the Historic Sites Act is no part of the relief set-up and cannot be made subservient to a prior act. No specific sums were appropriated for the preservation of historic sites or even for the purpose of making surveys to determine just what sites are worthy of preservation.

This fact was fully impressed on the subcommittee of the Appropriations Committee on April 2, 1937, by Mr. A. E. Demaray, who in appearing before the committee in the

hearings on the Interior Department appropriation bill for 1938 said, when explaining the request for an increased appropriation of \$26,000:

This is for the conduct of the historic-sites survey, as required by Public, 292, which is an undertaking of great magnitude. No comparable survey has ever been undertaken in the United States.

And in reply to further questions from Mr. O'NEAL, Mr. Demaray said:

The Secretary of the Interior was directed, through the National Park Service, to do these things. But no funds were provided, and therefore the purposes of these bills, of course, cannot be carried out.

Mr. Speaker, this brings up the question, Who furnished the money and by what authority did Mr. Ickes arrive at the determination that the 37-block area of business property in St. Louis is in fact a historic site? No money had been appropriated by this Congress for the purposes of the act, and we all know the historic events named by the President in his Executive order of December 21, 1935, have been exposed for the most part as bits of historical fiction. Now, where does Mr. Ickes get his historical data that is so different from the facts? But even if all these historical sites and historical events actually took place in St. Louis, the buildings are for the most part gone, a thriving industry has grown up, and there is no more sense in tearing these buildings down than there would be to advance on the city of Chicago, and demand the right to condemn half the downtown area as a memorial to the great historic fire created when Mrs. O'Leary's cow kicked over a lantern in 1871. We might just as well try to restore the O'Leary stable, and cow pasture, in the heart of Chicago, as try to restore these historic sites on the river front in St. Louis. The one project is no more absurd than the other.

The Historic Sites Act left the matter of appropriating money where it properly belongs—in the hands of Congress—but the act went further, to provide—

That no contract or cooperative agreement shall be made or entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purposes.

If the act means what it says—and I believe the Members of this Congress know what they mean when they write a bill—then the first great question of law which comes up is this: By what authority of law can the President order the Secretary of the Interior to enter into any kind of contract or cooperative agreement with the officials of St. Louis or any other city for that matter?

Mr. Speaker, this brazen assumption of the legislative powers of the Congress ought not to have escaped the notice of Judge Davis. Besides his failure to take cognizance of the law as it actually stands today, the learned judge in his wisdom, as might occasionally be expected, also overlooked another section of our basic law dealing with just such proposals as now arise. I refer now to section 451, title 16, United States Code, which is as follows:

LIMIT ON COST OF BUILDINGS ERECTED IN NATIONAL PARKS

Sec. 451. No expenditure for construction of administration or other buildings cost in case of any building exceeding \$1,500 shall be made in any national park except under express authority of Congress.

Where is this express authority?

Is not this provision of the law sufficient indication that the appropriations for buildings in national parks is a legislative matter reserved to the Congress? To delegate it elsewhere is both unconstitutional and unlawful.

Mr. Speaker, to say the least, I believe this Federal judge has dealt very lightly and unwisely in a serious case. This is not an ordinary suit, filed by these citizens of St. Louis. It is a suit in which they fight for their rights against a most vicious combination of circumstances. Many of them will suffer irreparable damages and the Government will be forced into endless litigation unless this useless project is halted quickly. The situation can best be visualized by the following extract from a letter recently written by Mr. A. W. Albrecht, owner of a piece of property in the memorial area:

I have a piece of property in the proposed Jefferson Memorial in St. Louis that brought me an income of \$3,000 net a year. Government bonds of today are bringing 2 percent or less, therefore the value of my property, equivalent to Government bonds would be \$150,000.

The city of St. Louis assesses this property at \$7,900. Will you please tell me where I can invest \$7,900 to bring me an income of \$3,000 per year? I can cite you any number of these cases here.

Mr. Speaker, this letter is an indication that the National Park Service will not be able to even acquire this memorial site with the \$9,000,000 now available, but will have to come back to Congress for funds to complete this illegitimate project laid on our doorstep by the promoters of St. Louis. There are many Members in this House who believe that there should be more control over the Federal judiciary. So far no one close to the administration has raised a voice in protest against the decisions of the Court in this memorial matter. If there has been anything of good, to commend the Florida ship canal or the Passamaquoddy tidal power project that feature is entirely absent here. The project is crooked, wasteful, and unauthorized by this Congress. Let us halt it quickly or we will have to shoulder the shame as well as the blame of our negligence. The Rules Committee must now give us a rule to allow this resolution to be considered. Help us to solicit this request.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

GEORGE SMITH AND KETHA SMITH

The Clerk called the first bill on the Private Calendar, S. 176, for the relief of George Smith and Ketha Smith.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COSTELLO. Mr. Speaker, I object.

The SPEAKER. Two objections are required. The Chair hears only one objection. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to George Smith and Ketha Smith, of Mobile, Ala., the sum of \$2,250 in full settlement of all claims against the United States Government for damage to their automobile and for bodily injuries sustained by them on September 3, 1934, when the automobile in which they were riding collided with a Government vehicle operated in connection with the Civilian Conservation Corps, near Mobile, Ala.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ORSON THOMAS

The Clerk called the next bill, S. 191, for the relief of Orson Thomas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Orson Thomas, out of any money in the Treasury not otherwise appropriated, the sum of \$1,200 in full settlement of all claims against the United States for damages on account of injuries resulting from being struck by an Army truck on February 25, 1932, at Salt Lake City, Utah: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 4, strike out "to Orson Thomas", and after the word "appropriated" in line 5 insert "to Orson Thomas, of Salt Lake City, Utah."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF CHARLES PRATT

The Clerk called the next bill, S. 449, for the relief of the estate of Charles Pratt.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$2,500 to the estate of Charles Pratt in full compensation for personal injuries sustained by Charles Pratt as the result of an accident involving a Government truck, operated in connection with the Civilian Conservation Corps, near Williston, Vt., on January 26, 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, after the word "Corps", strike out "the sum of \$2,500 to the estate of Charles Pratt in full compensation" and insert "to the administrator of the estate of Charles Pratt, deceased, formerly of Chittenden County, Vt., the sum of \$2,500 in full settlement of all claims against the United States."

Page 2, line 2, after the figures "1934", insert "which injuries contributed to his death a few months thereafter."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAM LARSON, GUARDIAN OF MARGARET LARSON, A MINOR

The Clerk called the next bill, S. 792, for the relief of Sam Larson, guardian of Margaret Larson, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Larson, guardian of Margaret Larson, a minor, the sum of \$2,500 in full settlement of all claims of said guardian and minor against the Government of the United States for injuries received by Margaret Larson on August 30, 1935, when she was struck by a truck belonging to the United States Department of Fisheries: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, after the word "to", strike out "Sam Larson, guardian of Margaret Larson, a minor" and insert "the legal guardian of Margaret Larson, a minor, of Ephrata, Wash."

Page 2, line 1, strike out the word "Fisheries" and insert "Commerce on the highway between Soap Lake and Ephrata, Wash."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Margaret Larson, a minor."

JAMES O. COOK

The Clerk called the next bill, S. 854, for the relief of James O. Cook.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended and supplemented, are hereby waived in the case of James O. Cook, formerly employed by the Civil Works Administration on the South Marias Hill project, north of Valier, Mont.; and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed with the Commission, within 1 year after the date of the enactment of this act, by said James O. Cook for compensation under the provisions of such act of September 7, 1916, as amended and supplemented, for disability due to injuries received by him in the performance of his duties during the time he was so employed.

With the following committee amendments:

Page 1, line 8, after the word "Cook", insert "of Valier, Mont."

Page 2, line 2, strike out "1 year" and insert "6 months."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JACK WADE ET AL.

The Clerk called the next bill, S. 893, for the relief of Jack Wade, Perry Shilton, Louie Hess, Owen Busch, and William W. McGregor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment upon the claims of Jack Wade, Perry Shilton, Louie Hess, Owen Busch, and William W. McGregor, respectively, for damages they received caused by and as a result of injuries sustained by a collision with a Civilian Conservation Corps truck on the public highway on the crest of Navajo Hill, in Mesa Verde National Park, Colo., on January 7, 1935: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court: *Provided further*, That said suit shall be brought and commenced within 6 months of the date of the passage of this act.

With the following committee amendments:

Page 1, line 4, after the word "judgment", insert "as if the United States were suable in tort."

Page 1, line 7, strike out the word "respectively" and insert "all of Mancos, Colo."

Page 1, line 8, after the word "damages", strike out "they received caused by and as a result of injuries sustained by" and insert "resulting from personal injuries sustained by them in."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of Jack Wade, Perry Shilton, Louie Hess, Owen Busch, and William W. McGregor."

TROUP MILLER AND HARVEY D. HIGLEY

The Clerk called the next bill, S. 1160, for the relief of Troup Miller and Harvey D. Higley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Troup Miller, colonel, Eleventh Regiment United States Cavalry, and Harvey D. Higley, lieutenant colonel, Seventy-sixth Regiment United States Field Artillery, the sum of \$5,257.50, such sum representing money paid by such officers from their personal funds to make good the loss of money belonging to trainees of the citizens' military training camp at the Presidio of Monterey, Calif., which was unavoidably lost or stolen when it had been placed in the welfare office of such camp for safekeeping in July 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 9, strike out "such sum representing money paid by such officers" and insert "in full satisfaction of their claims against the United States for money paid."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAUDE P. GRESHAM

The Clerk called the next bill, S. 1453, for the relief of Maude P. Gresham.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Maude P. Gresham, widow of William F. Gresham, late commander, United States Navy, the sum of \$8,750, and to Agnes M. Driscoll the sum of \$6,250, out of any money in the Treasury not otherwise appropriated, said sums to be in full and complete settlement of all claims by said parties against the United States arising from the invention of the late Commander William F. Gresham, which said invention has been accepted by the Navy Department for use in connection with naval communication facilities: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike out "\$8,750" and insert "\$8,690.55."

Page 1, line 11, after the word "Gresham", insert "and Agnes M. Driscoll."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Maude P. Gresham and Agnes M. Driscoll."

MRS. CHARLES T. WARNER

The Clerk called the next bill, S. 1637, for the relief of Mrs. Charles T. Warner.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Charles T. Warner the sum of \$5,000, in full settlement of any and all claims against the Government on account of the death of her husband, Charles T. Warner, formerly a United States deputy marshal, who died May 23, 1935, as a result of injuries sustained while in the performance of his duties: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

"That the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider the claim of Mrs. Charles T. Warner, of Tulsa, Okla., widow of Charles T. Warner, who sustained injuries in December 1932 in the performance of his duties as a deputy United States marshal from which he is alleged to have died in May 1935, under the provisions of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', approved September 7, 1916, as amended, except that the limitations of time in sections 15 to 20 thereof, both inclusive, are hereby waived: *Provided*, That claim hereunder shall be filed within 6 months from the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN DISBURSING OFFICERS OF THE ARMY

The Clerk called the next bill, S. 2334, for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Maj. E. T. Comegys, Finance Department, \$80.54; Capt. J. H. Dickie, Finance Department, \$13.30; Maj. E. F. Ely, Finance Department, \$51.40; Maj. H. G. Foster, Finance Department, \$36.86; and Lt. Col. F. M. Holmes, Finance Department, \$39, said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due former members of the Civilian Conservation Corps, Reserve Officers' Training Corps, and the Regular Army, who are no longer in the service of the United States, and which amounts have been disallowed by the Comptroller General of the United States: *Provided*, That no part of the amounts so credited shall be later charged against any individual other than the various payees.

Sec. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Maj. H. G. Foster, Finance Department, \$38, representing overpayment to a Civilian Conservation Corps enrollee for the months of August and September 1934: *Provided*, That there be refunded to Capt. William C. Carne, Fourth Regiment United States Infantry, \$9.50 on account of payment made by him on this account: *Provided further*, That no charge shall be raised against any individual other than the payee.

Sec. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the disbursing officer of the Army making payment therefor the cost of shipment by rail of household goods and personal property belonging to Lt. Col. (then Major) Clarence M. McMurray, Infantry, on permanent change of station from Fort Lewis, Wash., to Newport, Ky., in December 1933 in a sum not exceeding \$188.29.

Sec. 4. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of First Lt. W. J. Matteson, Corps of Engineers, \$27,044, representing the amount paid by him for the construction of two additions to the Munitions Building under contracts with Birchett & Atkins, Inc., and the Charles H. Tompkins Co., and approved by the Secretary of War, which amount has been disallowed by the Comptroller General of the United States on the grounds that the appropriation expended was not available for construction in the District of Columbia: *Provided*, That any amounts collected from either of the contractors on account of these payments prior to the passage of this act shall be refunded to them.

Sec. 5. That in all cases where suit has been instituted in the courts against any disbursing officer covering items subsequently cleared by the action of the Congress or otherwise, such clearance of the principal amount shall be considered and construed as precluding the recovery of any interest charges from the disbursing officer arising from any items so cleared.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. JOSEPH KONDERISH

The Clerk called the next bill, H. R. 938, for the relief of Mr. and Mrs. Joseph Konderish.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HANCOCK of New York and Mr. COLE of New York objected, and, under the rule, the bill was recommitted to the Committee on Claims.

STELLA VAN DEWERKER

The Clerk called the next bill, H. R. 4489, for the relief of Stella Van Dewerker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$110 to Stella Van Dewerker, of Camp Crook, S. Dak., in full satisfaction of her claim against the United States for damages arising out of the loss by her of a horse which was killed and another which was injured in 1934 and a harness which was leased in 1934 and never returned while being worked, under contract with the owners, by employees of the Forest Service, United States Department of Agriculture, in connection with emergency conservation work.

With the following committee amendments:

In line 5, strike out the figures "\$110" and insert "\$60."

In lines 8, 9, 10, strike out the words "was killed and another which was injured in 1934 and a harness which was leased in 1934 and never returned," and insert "died, in November 1934."

In line 11, strike out the word "owners" and insert "owner."

At the end of the bill add: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROGOWSKI BROS.

The Clerk called the next bill, H. R. 4941, for the relief of Rogowski Bros.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Claims.

CYRUS M. LASHER

The Clerk called the next bill, H. R. 5431, for the relief of Cyrus M. Lasher.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cyrus M. Lasher, East Greenbush, County of Rensselaer, State of New York, the sum of \$5,000, in full satisfaction of his claim against the United States on account of injuries received by him on the 5th day of January 1935 in the post-office building at Albany, N. Y.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "\$5,000" and insert "\$1,750."

Page 1, line 9, after the words "in the", insert "tunnel adjoining the."

Page 1, line 9, also, after the words "New York", insert "when a metal door, operated by a postal employee, dropped on him."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAROLINA MALDONADO

The Clerk called the next bill, H. R. 5846, for the relief of Carolina Maldonado.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carolina Maldonado, of Socorro, Tex., the sum of \$7,500 for injuries received while riding in automobile which was struck by Government truck numbered 33799 operated in connection with the Civilian Conservation Corps.

With the following committee amendments:

In line 5 strike out the words "not otherwise appropriated" and insert "allocated by the President for the maintenance and operation of the Civilian Conservation Corps."

In line 6 strike out the figures "\$7,500" and insert "\$3,500, in full satisfaction of her claim against the United States."

At the end of the bill strike out the period and insert the following: "near Ysleta, Tex., on June 22, 1936: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with

this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. L. MYERS

The Clerk called the next bill, H. R. 5989, for the relief of J. L. Myers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. L. Myers, Texarkana, Tex.-Ark., the sum of \$113.50. Such sum represents actual medical and other expenses incurred by the said J. L. Myers on account of personal injuries received by him, his wife, and minor son when his automobile was in collision, near Searcy, Ark., on December 31, 1935, with a truck in the service of the Civilian Conservation Corps.

With the following committee amendments:

In lines 4 and 5 strike out the words "not otherwise appropriated" and insert "allocated by the President for the maintenance and operation of the Civilian Conservation Corps."

In line 6 strike out the word "represents" and insert "shall be in full satisfaction of all claims against the United States for the."

At the end of the bill add: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HELEN NIEHAUS

The Clerk called the next bill, H. R. 6316, for the relief of Helen Niehaus.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Paymaster General of the Navy shall cause to be paid to Helen Niehaus an amount equal to 6 months' pay at the rate received by her son, John Gilbert Niehaus, former coxswain, United States Navy, at the time of his death on October 3, 1930. Pursuant to the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes", approved June 4, 1920, as amended by the act of May 22, 1928 (U. S. C., title 34, sec. 943; U. S. C., Supp. VI, title 34, sec. 943), the said John Gilbert Niehaus designated his father, Clemens Niehaus, as beneficiary of the gratuity authorized by such act, as amended, but such designated beneficiary died on December 18, 1930, before payment was made.

With the following committee amendment:

Strike out all of the bill after the enacting clause and insert the following:

"That the Secretary of the Navy is hereby authorized and directed to pay, out of the current appropriation for 'Pay, Subsistence, and Transportation, Navy', to Helen Niehaus, of Newport, Ky., mother of John Albert Niehaus, late coxswain, United States Navy, who died on October 3, 1930, at the Naval Hospital, Mare Island, Calif., a sum equal to 6 months' pay at the rate received by John Albert Niehaus at the time of his death: *Provided,* That Helen Niehaus shall first establish to the satisfaction of the Secretary of the Navy that she was actually dependent upon her son, John Albert Niehaus, at the time of his death, and the determination of such fact by the Secretary of the Navy shall be final and conclusive upon the accounting officers of the Government."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTHONY CARAMAGNO

The Clerk called the next bill, H. R. 6469, for the relief of Anthony Caramagno.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anthony Caramagno the sum of \$7,460. The payment of such sum shall be in full satisfaction of all claims

by the said Anthony Caramagno for damages to a restaurant and two houses at Salisbury, Mass., owned by him, caused by blasting operations on Works Progress Administration project no. 7496 on or about June —, 1936.

With the following committee amendments:

In line 3, after the word "is", insert "hereby."

In line 5, after the name "Caramagno", insert "of Salisbury, Mass."

In lines 5 and 6 strike out the figures and words "\$7,460. The payment of such sum shall be" and insert "\$7,154."

In line 7 strike out the words "by the said Anthony Caramagno" and insert "against the United States."

In lines 10 and 11 strike out the words "on or about June —, 1936" and add: "in May 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

Mr. COLE of New York. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York: Strike out all after the enacting clause and insert:

"That jurisdiction is hereby conferred upon the United States District Court for the State of Massachusetts to hear, determine, and render judgment, as if the United States were suable in court, upon the claim of Anthony Caramagno, of Salisbury, Mass., for damages to a restaurant and two houses at Salisbury, Mass., owned by him, alleged to have been caused by blasting operations on a Works Progress Administration project no. 7496, in May 1936: *Provided*, That the judgment, if any, shall not exceed a total of \$7,154.

"Sec. 2. Suit upon any such claim may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon, shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph 20 of section 24 of the Judicial Code as amended.

"Amend the title."

Mr. COLE of New York. Mr. Speaker, I desire to briefly explain the amendment.

The claimant is the owner of two houses which were damaged by dynamite set off by the W. P. A. a distance of a mile and a half away. The purpose of the amendment is to confer jurisdiction upon the Federal district court for that district to hear and determine the issues involved and make an award.

The SPEAKER. The question is on the amendment offered by the gentleman from New York [Mr. COLE].

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended to read as follows: "A bill conferring jurisdiction upon the United States District Court for the State of Massachusetts to hear, determine, and render judgment upon the claim of Anthony Caramagno."

MACK COPPER CO.

The Clerk called the next bill, H. R. 3739, conferring jurisdiction upon the Court of Claims to hear and determine the claim of the Mack Copper Co.

Mr. HANCOCK of New York and Mr. COLE of New York objected, and, under the rule, the bill was recommitted to the Committee on War Claims.

FRED G. CLARK CO.

The Clerk called the next bill, S. 51, for the relief of the Fred G. Clark Co.

Mr. COSTELLO and Mr. COLE of New York objected, and, under the rule, the bill was recommitted to the Committee on War Claims.

STANLEY A. JERMAN

The Clerk called the next bill, S. 1242, for the relief of Stanley A. Jerman, receiver for A. J. Peters Co., Inc.

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on War Claims.

JOSEPH NOEL ROBERTS

The Clerk called the next bill, H. R. 2345, for the relief of Joseph Noel Roberts.

Mr. COSTELLO and Mr. COLE of New York objected, and, under the rule, the bill was recommitted to the Committee on War Claims.

SOUTHERN OVERALL CO.

The Clerk called the next bill, H. R. 3960, for the relief of the Southern Overall Co.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COSTELLO. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the claim of the Southern Overall Co., growing out of proxy-signed contract of November 23, 1917, with the Quartermaster Corps for delivery of jumpers and trousers to the Quartermaster Corps during the World War, is hereby referred to the United States Court of Claims with jurisdiction to hear the same to judgment and with instructions to adjudicate the same upon the basis of the fair and reasonable value at the time of delivery of the jumpers and trousers delivered thereunder.

With the following committee amendment:

Page 2, line 1, after the word "thereunder", insert "not to exceed \$1.36 per garment: *Provided*, That no recovery shall be had unless the court further finds that the delay in delivery was due to no fault of the contractor or to unforeseen causes beyond his control."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HELEN MAHAR JOHNSON

The Clerk called the next bill, H. R. 4571, for the relief of Helen Mahar Johnson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Helen Mahar Johnson, of Gilboa, N. Y., the remarried widow of James P. Mahar, the sum of \$5,000 in full satisfaction of any and all claims of the estate of James P. Mahar for United States Government life-insurance benefits under policy no. K-812772.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VELIE MOTORS CORPORATION

The Clerk called the next bill, H. R. 6784, to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Velie Motors Corporation.

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on War Claims.

WALTER W. JOHNSTON

The Clerk called the next bill, H. R. 2860, for the relief of Walter W. Johnston.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Walter W. Johnston, out of any money in the Treasury not otherwise appropriated, the sum of \$5,495 as full compensation to him, the said Walter W. Johnston, for personal services rendered to the United States Shipping Board Emergency Fleet Corporation and the use of appliances personally owned and operated by him in connection with the launching of ships for the United States Shipping Board Emergency Fleet Corporation for carrying on the war. The ships were launched at the shipyards of the fourth and other districts during the year 1918 and subsequent thereto, said work being done by order of and under the direction of the district supervisor of the United States Shipping Board Emergency Fleet Corporation, and for which services and use of his devices the claimant has not been fully compensated by the United States Shipping Board Emergency Fleet Corporation or the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RALPH B. SESSOMS

The Clerk called the next bill, H. R. 5871, for the relief of Ralph B. Sessoms.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed, out of the appropriation for military and naval insurance, to pay to Ralph B. Sessoms the sum of \$10,000. Such payment shall be in full settlement of all claims against the United States based on Government insurance policy numbered T-4367266 in the amount of \$10,000 issued to Lewis C. Sessoms, deceased (C-627929).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUKE FRANCIS BRENNAN

The Clerk called the next bill, H. R. 3372, for the relief of Luke Francis Brennan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged sailors Luke Francis Brennan, formerly of the United States Navy, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as a member of the United States Navy at the expiration of the term of his first enlistment: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

Page 1, line 8, strike out "at the expiration of the term of his first enlistment" and insert "on March 22, 1899."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACORS RATHBUN THOMPSON

The Clerk called the next bill, H. R. 5440, to authorize the award of a decoration for distinguished service—namely, the Congressional Medal of Honor—to Acors Rathbun Thompson.

The SPEAKER. Is there objection to the present consideration of the bill?

The Chair may state there is on the Speaker's desk a Senate bill of similar tenor.

Mr. WADSWORTH. Mr. Speaker, is it within my right to reserve the right to object in order to make an inquiry?

The SPEAKER. Not to a bill on the Private Calendar, the Chair may state.

Mr. WADSWORTH. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WADSWORTH. May the bill be read?

The SPEAKER. The bill will be read if there is no objection to its consideration.

Mr. WADSWORTH. Will it be read before the time for making an objection is in order.

The SPEAKER. The gentleman cannot reserve the right to object. The gentleman can object to the consideration of the bill, but if he does not object, he can only oppose the passage of the bill or offer an amendment.

Mr. WADSWORTH and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Naval Affairs.

ELVA T. SHUEY

The Clerk called the next bill, H. R. 2649, for the relief of Elva T. Shuey.

Mr. COSTELLO. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Elva T. Shuey, an employee of the Bureau of Mines, Department of the Interior, is hereby released from any liability to the United States by reason of being employed in two positions, that of teacher in the District of Columbia schools and as clerk in the executive branch of the Government during the period January 13, 1919, to March 15, 1919, and

on September 16, 1920, and June 30, 1924. The Acting Comptroller General of the United States has certified that the sum of \$192.50 is due the United States from the said Elva T. Shuey under the statute relating to the receiving of more than one salary.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MILTON S. MERRILL

The Clerk called the next bill, H. R. 3723, for the relief of Milton S. Merrill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General is hereby authorized and directed to credit the accounts of Milton S. Merrill, as postmaster at Mount Hebron, Calif., in the amount of \$392, such amount representing a loss by mail-truck robbery in San Francisco, Calif., on April 7, 1924, and shown on final audit of his accounts as postmaster to be due the United States.

SEC. 2. That the surety on the bond of the said Milton S. Merrill, as postmaster, is relieved of any liability on account of such loss.

With the following committee amendments:

Page 1, line 4, strike out the word "as" and insert "former."

Line 6, strike out "a loss by" and insert "surplus postal funds remitted to his Central Accounting Post Office and lost in a."

Line 9, after the figures, strike out the remainder of line 9 and all of line 10.

Page 2, strike out all of section 2.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELLIE DODGEN

The Clerk called the next bill, H. R. 3757, for the relief of Rellie Dodgen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rellie Dodgen, Sevierville, Tenn., the sum of \$2,000. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said Rellie Dodgen as the result of a Government truck in the service of the Great Smoky Mountains Park striking and severely injuring him.

With the following committee amendments:

Page 1, line 6, after the word "of", strike out the remainder of line 6 and the word "be", in line 7, and insert "\$407.25."

Line 8, after the word "States", strike out the remainder of line 8 and all of lines 9 and 10 and insert "for personal injuries sustained when he was struck by a Department of Agriculture truck, near Gatlinburg, Tenn., on June 11, 1935."

"SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Anah Webb Lavery, of Evans-ton, Ill., the sum of \$15, in full satisfaction of her claim against the United States for personal injuries and expenses incident thereto as a result of a collision between the automobile she was driving and a National Park Service truck, operated in connection with the Civilian Conservation Corps, at Lincolnwood, Ill., on May 11, 1936."

"SEC. 3. That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Amend the title.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Rellie Dodgen and Anah Webb Lavery."

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that the Committee on World War Veterans' Legislation may have until 12 o'clock tonight to file a supplemental report on the

bill (H. R. 6384) to liberalize the provisions of existing laws governing service-connected benefits for World War veterans and their dependents, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PRIVATE CALENDAR

T. T. EAST AND THE CASSIDY SOUTHWESTERN COMMISSION CO.

The Clerk called the next bill, H. R. 3776, for the relief of T. T. East and the Cassidy Southwestern Commission Co., citizens of the State of Texas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That T. T. East and the Cassidy Southwestern Commission Co., a corporation, their heirs, legal representatives, executors, administrators, and assigns, any statutes of limitations being waived, are hereby authorized to enter suit in the United States District Court for the Northern District of Texas for the amount alleged to be due to said claimants from the United States by reason of the alleged neglect and alleged wrongdoing of the officials and inspectors of the United States Bureau of Animal Industry in the dipping of tick-infested cattle in Texas, which said cattle were shipped from Texas to Rockland, Kans., in the year 1922.

SEC. 2. Jurisdiction is hereby conferred upon said United States District Court for the Northern District of Texas to hear and determine all such claims without intervention of a jury. The action in said court may be presented by a single petition making the United States party defendant and shall set forth all the facts on which the claimants base their claims, and the petition may be verified by the agent or attorney of said claimants, official letters, reports, and public records or certified copies thereof may be used as evidence, and said court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found due from the United States to the said claimants by reason of the alleged negligence and erroneous certification, upon the same principles and under the same measure of liability as in like cases between private parties, and the Government hereby waives its immunity from suit. And said claimants and the United States shall have all rights of appeal or writ of error or other remedy as in similar cases between private persons or corporations: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of said court, and upon such notice it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *And provided further*, That such suit shall be begun within 6 months of the date of the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAPT. B. B. BARBEE

The Clerk called the next bill, H. R. 5615, for the relief of Capt. B. B. Barbee.

Mr. COLE of New York and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Claims.

JUDD & DETWEILER, INC.

The Clerk called the next bill, H. R. 5912, for the relief of Judd & Detweiler, Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Judd & Detweiler, Inc., Washington, D. C., the sum of \$150.75. The payment of such sum shall be in full settlement of all claims of Judd & Detweiler, Inc., against the United States for printing services rendered to the Federal Housing Administration, Washington, D. C., under unnumbered contract, consisting of proposal of Judd & Detweiler, Inc., dated November 17, 1934, and acceptance dated November 27, 1934.

Such sum represents a deduction made by the Comptroller General upon payment under the above contract to effect collection of a like amount paid to Judd & Detweiler, Inc., for printing services rendered the Farmers' Seed Loan Office, Washington, D. C., under open-market purchase orders nos. 15 (Reconstruction Finance Corporation) and 55 (Reconstruction Finance Corporation), dated March 8 and 15, 1932, respectively, on the ground that the work should have been performed at the Government Printing Office, or contracted for by the Public Printer instead of the Secretary of Agriculture.

With the following committee amendment:

Page 2, line 13, after the word "Agriculture", insert a colon and the following: "*Provided*, That no part of the amount appro-

riated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WALTER G. ANDERSON

The Clerk called the next bill, H. R. 5927, for the relief of Walter G. Anderson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter G. Anderson, of Kenton, Mich., the sum of \$48.40 in full satisfaction of his claim against the United States for mileage, witness fees, and subsistence allowance for appearing before a board of Army officers at Fort Brady, Civilian Conservation Corps district, Sault Ste. Marie, Mich., on July 20, 21, 22, 23, and 24, 1935.

With the following committee amendments:

Page 1, line 7, strike out the words "witness fees, and subsistence" and insert "and per diem."

In line 8, after the word "appearing", insert "as a witness, pursuant to orders."

Line 11, after the word "July", strike out "20, 21, 22, 23, and 24, 1935" and insert "21, 22, and 23, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JESSE A. LA RUE

The Clerk called the next bill, H. R. 7172, for the relief of Jesse A. LaRue.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jesse A. LaRue, 1320 Princeton Avenue, Birmingham, Ala., the sum of \$50 in full satisfaction of his claim against the United States for the value of a typewriter owned by the said Jesse A. LaRue and loaned by him to the Civil Works Administration and which was stolen while in the custody of the Civil Works Administration.

With the following committee amendments:

In line 6 strike out the words "1920 Princeton Avenue" and insert "of."

In line 10, after the word "stolen", insert "on January 16, 1934, from a Birmingham, Ala., project."

At the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ETHEL SMITH M'DANIEL

The Clerk called the next bill, H. R. 7316, to extend the benefits of the United States Employees' Compensation Act of September 7, 1916, to Ethel Smith McDaniel.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 972) for the relief of Ethel Smith McDaniel may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Ethel Smith McDaniel, widow of Travis McDaniel, who died on April 16, 1934, and whose death is alleged to have resulted from disability incurred on January 8, 1929, while an employee of the United States Railway Mail Service, and the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider her claim under the remaining provisions of said act: *Provided*, That claim hereunder shall be made within 1 year from the date of the approval of this act: *And provided further*, That no benefits shall accrue prior to the approval of this act.

Mr. COSTELLO. Mr. Speaker, I offer an amendment.
The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 2, line 4, after the word "within", strike out "1 year" and insert in lieu thereof "6 months."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 7316) was laid on the table.

JOHN E. T. CLARK

The Clerk called the next bill, H. R. 7458, for the relief of John E. T. Clark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of John E. T. Clark, former postmaster at Coalgate, Okla., in the sum of \$6,113.93 on account of the loss of postal, Treasury-savings, postal-savings, money-order, and war-revenue funds, resulting from the failure of the City National Bank of Coalgate, Okla., on November 5, 1923, and the First National Bank of Coalgate, Okla., on January 8, 1924.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LIVVIE V. ROWE

The Clerk called the next bill, H. R. 7679, for the relief of Livvie V. Rowe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Livvie V. Rowe, of Oklahoma City, Okla., the sum of \$5,000, as a gratuity for the death of her husband, Truett E. Rowe, a special agent of the Federal Bureau of Investigation, Department of Justice, who was killed in the line of his official duty while endeavoring to arrest a fugitive from justice near Gallup, N. Mex., on June 1, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPHINE M. SCOTT

The Clerk called the next bill, S. 184, for the relief of Josephine M. Scott.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Josephine M. Scott, widow of Harry Scott, of Opheim, Mont., the sum of \$1,000 in full settlement of all claims against the Government for the loss of a valuable registered Percheron stallion, the death of which was caused by a test for dourine made by Dr. Perry Zanor, a veterinarian and representative of the Department of Agriculture: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to

the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATES OF H. LEE SHELTON, ETC.

The Clerk called the bill (S. 826) for the relief of the estates of H. Lee Shelton and Mrs. H. Lee Shelton, Mrs. J. R. Scruggs, and Mrs. Irvin Johnson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of H. Lee Shelton, of Pittsylvania County, Va., the sum of \$7,500, plus \$18.27 court costs; to the estate of Mrs. H. Lee Shelton, of Pittsylvania County, Va., the sum of \$2,500, plus \$13.60 court costs; to Mrs. J. R. Scruggs, of Pittsylvania County, Va., the sum of \$5,000, plus \$10.60 court costs; and to Mrs. Irvin Johnson, of Pittsylvania County, Va., the sum of \$300, plus \$13.60 court costs, in full settlement of all claims against the Government of the United States for fatal and personal injuries sustained in a collision involving a United States Government truck operated by an employee of the Soil Conservation Service of the Department of Agriculture in Pittsylvania County, Va., on November 9, 1935: *Provided*, That no moneys appropriated under this act shall be paid until the judgments rendered against C. S. Blanks, Works Progress Administration employee, are fully satisfied: *Provided further*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amounts appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike out "\$7,500" and insert "\$5,000."

Page 1, line 10, strike out "\$5,000" and insert "\$3,000."

Page 2, line 9, strike out "against C. B. Blanks, Works Progress Administration employee, are fully satisfied" and insert "in the circuit court of Pittsylvania County, Va., against C. S. Blanks, employee of the Soil Conservation Service, Department of Agriculture, are released and fully satisfied of record by the claimants herein."

The committee amendments were agreed to.

Mr. COSTELLO. Mr. Speaker, I offer the following amendments, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 1, line 7, after the figures "\$5,000", strike out "plus \$18.27 court costs."

Page 1, after the figures "\$3,000", strike out "plus \$10.60 court costs."

Page 2, lines 1 and 2, after the figures "\$300", strike out "plus \$13.60 court costs."

The amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

The title was amended so as to read: "An act for the relief of the estate of H. Lee Shelton, the estate of Mrs. H. Lee Shelton, Mrs. J. R. Scruggs, and Mrs. Irvin Johnson."

PAULINE M'KINNEY

The Clerk called the bill (S. 1219) for the relief of Pauline McKinney.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission shall be, and it is hereby, authorized and directed to extend to Pauline McKinney, a nonrelief administrative employee of the Emergency Relief Administration for the State of Oklahoma, the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended by the act of February 12, 1927: *Provided*, That no benefits shall accrue prior to the enactment of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That in the administration of the act entitled 'An act to provide compensation for employees of the United States suffering

injuries while in the performance of their duties, and for other purposes, approved September 7, 1916, as amended by sundry acts, including the act of February 15, 1934 (48 Stat. 351), the United States Employees' Compensation Commission is hereby authorized and directed to extend the provisions of said acts to Pauline M. Warden (nee Pauline McKinney), of Tulsa, Okla., for personal injuries sustained by her on August 17, 1934, on United States Highway No. 77, near Wayne, Okla., while in the performance of her duties as a nonrelief administrative employee of the Federal Emergency Relief Administration for the State of Oklahoma: *Provided*, That claim hereunder shall be filed within 6 months after the approval of this act."

The amendment was agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

The title was amended so as to read: "An act for the relief of Pauline M. Warden, nee Pauline McKinney."

WILLIARD COLLINS

The Clerk called the bill (S. 1401) for the relief of Willard Collins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Willard Collins, the sum of \$10,000 in full and final settlement of any and all claims against the Government for the death of his wife and minor child, who were killed November 23, 1936, when the automobile in which they were riding was struck by a truck belonging to the Department of Agriculture, Forest Service, which was being operated by Joseph Yusba, a member of the Civilian Conservation Corps, Camp Rainbow, Florence County, Wis.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 7, after the word "Collins", insert "of Tipler, Wis."
Page 1, line 9, strike out "who were killed" and insert "and personal injuries to himself suffered on."

The committee amendments were agreed to.

Mr. COSTELLO. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. COSTELLO: Page 1, line 7, after the words "the sum of", strike out "\$10,000" and insert "\$7,500."

The amendment was agreed to, and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

HARRY BRYAN AND ALDA DUFFIELD MULLINS

The Clerk called the bill (S. 1640) for the relief of Harry Bryan and Alda Duffield Mullins and others.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Bryan and Alda Duffield Mullins, for the death of their daughter, Eva Mae Mullins, the sum of \$5,000; to the legal guardian of Elbert Grover Harrison, Jr., the sum of \$11,000; to the legal guardian of Imogene Stanley, the sum of \$500; to the legal guardian of Graynell Stanley, the sum of \$2,500; to the legal guardian of Hazel Marie Hitchcock, the sum of \$5,000; to the legal guardian of Patricia Lea Hitchcock, the sum of \$500; to the legal guardian of Charles Ray Coulter, the sum of \$2,000; to the legal guardian of Harry Robert Isenhardt, the sum of \$10,000; to the legal guardian of Carl Gene Bosley, the sum of \$9,000; to the legal guardian of Doris Ruth Helmick, the sum of \$750; to the legal guardian of James Andrew Belknap, the sum of \$1,000; to Patrick Daniel and Nora Helena Grace Hickey, for injuries sustained by Paul Hickey, their son, the sum of \$100; to Everett French Mick, for injuries sustained by Wallace Robert Mick, his son, the sum of \$300; to William M. and Ato Norman Young, for injuries sustained by Harry Jess Young, their son, the sum of \$100; to Albert and Della Workman Groves, for injuries sustained by Norris Blaine Groves, their son, the sum of \$100; to Ethel Rollyson Lough, the sum of \$2,500; and to Ray Earl Bennett, the sum of \$75, said sums to be in full settlement of all claims against the Government for personal injuries and death caused by an explosion resulting from the negligent heating of tar by employees of the Works Progress

Administration in Gassaway, W. Va., November 7, 1936. The sums above appropriated to guardians are for the sole and exclusive benefit of the minors for whom such guardians are appointed.

Sec. 2. That the Works Progress Administration is hereby authorized and directed to pay, out of any money allocated by the President for the maintenance and operation of the Works Progress Administration, all hospital, medical, and other expenses necessarily incurred by the above-named claimants as the result of the explosion in Gassaway, W. Va., November 7, 1936.

Sec. 3. That no part of the amounts appropriated in this act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 2, line 2, strike out "\$500" and insert "\$1,000."
Page 2, line 3, strike out "\$2,000" and insert "\$4,000."
Page 2, line 17, after the figures "\$75", insert "all claimants of Gassaway, Braxton County, W. Va."
Page 2, line 18, after the word "sums", insert "in all, \$52,925."
Page 3, line 7, strike out the period and insert "and such payments, when made shall be in full settlement of all claims against the Government for said expenses."

The committee amendments were agreed to.

Mr. COSTELLO. Mr. Speaker, I offer the following amendments, which I send to the desk.

The Clerk read as follows:

Amendments offered by Mr. COSTELLO: Page 1, line 8, strike out "\$11,000" and insert "\$8,500."
Page 2, line 4, strike out "\$10,000" and insert "\$8,000."
Page 2, line 8, strike out "\$1,000" and insert "\$500."
Page 3, strike out all of section 2 and, in line 10, strike out the words "Sec. 3" and insert "Sec. 2."

The amendments were agreed to; and the bill, as amended, was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY BURNETT

The Clerk called the bill (S. 1822) for the relief of Harry Burnett.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Burnett, of Eunice, N. Mex., the sum of \$300 in full settlement of any and all claims against the Government on account of personal injuries sustained by him in a collision with an automobile owned by the United States Government and driven by Howard H. Major, agent and employee of the Government, in the service of the Division of Grazing, on Highway No. 285 at a point about 9 miles north of Encino, N. Mex., on December 1, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

R. L. McLACHLAN

The Clerk called the bill (S. 2399) for the relief of R. L. McLachlan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. L. McLachlan, of Estill, Mo., the sum of \$75 in full settlement of all claims against the United States for damages to him caused by the death of one purebred cow and one grade cow, known as abortion reactors, in connection with the Government's efforts to eradicate this disease from the dairy herds of Howard County, Mo.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary not-

withstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MARY LUCIA HAVEN

The Clerk called the bill (H. R. 7430) for the relief of Mary Lucia Haven.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Lucia Haven, widow of Joseph Emerson Haven, late American consul at Florence, Italy, the sum of \$7,900, equal to 1 year's salary of her deceased husband.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

GENEVIEVE E. DALEY

The Clerk called the next bill, H. R. 345, for the relief of Genevieve E. Daley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 17 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 17, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of Genevieve E. Daley, of Cazenovia, N. Y., for disability incurred by her while in the employment of the Army School of Nursing, in August 1931, and to determine said claim upon its merits: *Provided*, That no benefits shall accrue prior to the enactment of this act.

With the following committee amendments:

Page 1, line 3, strike out "provisions and limitations of sections 17 to 20" and insert "limitations of time in sections 15 to 20."

Page 1, line 8, strike out "17" and insert "7."

Page 2, line 1, strike out the word "disability" and insert "tuberculosis allegedly."

Page 2, line 2, after the word "while" strike out "in the employment" and insert "a student nurse."

Page 2, line 3, after the word "Nursing", insert "Walter Reed General Hospital, Washington, D. C."

Page 2, line 6, after the word "act", insert a colon and the following: *Provided further*, That the claim hereunder shall be filed within 6 months after the enactment of this act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DERBY OIL CO.

The Clerk called the next bill, H. R. 459, for the relief of the Derby Oil Co.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York and Mr. HANCOCK of New York objected, and the bill, under the rule, was recommitted to the Committee on Claims.

OLIVER Z. HOGE

The Clerk called the next bill, H. R. 2195, for the relief of Oliver Z. Hoge.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oliver Z. Hoge, of Staunton, Va., the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Oliver Z. Hoge as the result of serious personal injuries received by him in a fall, on September 19, 1936, down an unprotected and unlighted outside stairway at the rear of the post-office building in Staunton, Va.

With the following committee amendments:

Page 1, line 6, strike out "\$5,000. The payment of such sum shall be" and insert "\$1,500."

Page 1, line 8, strike out the words "the said Oliver Z. Hoge" and insert the word "him."

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Page 1, line 9, strike out the word "serious" and, after the word "received", strike out "by him."

Page 2, line 1, after the word "Virginia", insert a colon and the following: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HEIRS OF EDWARD P. FRANK, DECEASED

The Clerk called the next bill, H. R. 2455, for the relief of the heirs of Edward P. Frank, deceased.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of Edward P. Frank, deceased, of the city of New York, the sum of \$5,000, as full compensation for the death of said Edward P. Frank, which was caused by the deceased being struck down by an automobile truck belonging to the Post Office Department, on the 18th day of March 1920, at the intersection of Lafayette and Franklin Streets, in the Borough of Manhattan, city of New York.

With the following committee amendments:

Page 1, line 5, strike out the words "the heirs" and insert "Bertha L. Frank, sister."

Page 1, line 7, strike out "\$5,000 as full compensation" and insert "\$234.50, in full settlement of her claim for funeral expenses, and all claims against the United States."

Page 2, line 3, insert a colon and the following: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Bertha L. Frank."

ROLAND STAFFORD

The Clerk called the next bill, H. R. 3225, for the relief of Roland Stafford.

The SPEAKER. Is there objection?

Mr. COSTELLO and Mr. COLLINS objected, and the bill, under the rule, was recommitted to the Committee on Claims.

CLIFFORD BELCHER

The Clerk called the next bill, H. R. 4229, for the relief of Clifford Belcher.

There being no objection the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clifford Belcher, Dunsmuir, Calif., the sum of \$5,000, the same being for the purpose of reimbursing him for the loss caused by him physically as a result of an accident involving a Government vehicle operated in connection with the Civilian Conservation Corps on January 9, 1936.

With the following committee amendments:

Page 1, line 5, after the word "Treasury" strike out "not otherwise appropriated" and insert "allocated by the President for the maintenance and operation of the Civilian Conservation Corps";

Page 1, line 8, after the word "of" strike out the remainder of line 8 and all of lines 9, 10, and 11, and the figures on page 2, line 1, and insert the following: "\$1,000, in full satisfaction of his claim against the United States for personal injuries sustained when the automobile which he was driving was struck by a Civilian Conservation Corps truck on United States Highway No. 99, near Hazel Creek, Calif., on January 9, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any

contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES N. ROBINSON

The Clerk called the next bill, H. R. 4493, for the relief of Charles N. Robinson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, the sum of \$517 to Charles N. Robinson, of Brooklyn, Miss., for expenses incurred by him in connection with a homestead entry for a tract of land formerly embraced in a patented entry, which patent was canceled under a decree of court, but subsequently to Robinson's entry of the land it was decreed that the patent was erroneously canceled.

With the following committee amendments:

Page 1, line 6, after the word "Mississippi", insert "in full satisfaction of his claim against the United States."

Page 1, line 9, after the word "land", strike out the remainder of line 9 and all of lines 10 and 11, and on page 2, line 1, the words "was erroneously canceled", and insert the following: "known as Jackson 07920, which he was allowed to make on June 6, 1918, and which he subsequently relinquished on June 24, 1922, after it was determined that the United States was not in a position to issue a patent to him: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NORMAN E. SHERMAN AND BANKS W. SMITH

The Clerk called the next bill, H. R. 4506, for the relief of Norman E. Sherman and Banks W. Smith, operating under the name of California Flyers, for damages sustained by collision with Navy plane F4B4 by Waco Cabin airplane NC12456.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Norman E. Sherman and Banks W. Smith, operating under the name of California Flyers, out of any money in the Treasury not otherwise appropriated, the sum of \$3,500. Such sum shall be in full settlement of all claims against the United States on account of damages sustained by Waco Cabin airplane NC12456 on or about the 5th day of September 1936 caused by collision with Navy plane F4B4, no. 9018, at Los Angeles Airport, Los Angeles, Calif.

With the following committee amendments:

Page 1, line 4, after the word "pay", insert "out of any money in the Treasury not otherwise appropriated, to."

Page 1, line 7, after the word "Flyers", strike out "out of any money in the Treasury not otherwise appropriated, the sum of \$3,500. Such sum shall be" and insert "at Los Angeles Municipal Airport, Inglewood, Calif., the sum of \$3,500."

Page 2, line 3, strike out the words "or about."

Page 2, line 5, after the words "Los Angeles", strike out "Airport, Los Angeles, Calif." and insert the following: "Municipal Airport, Inglewood, Calif.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Norman E. Sherman and Banks W. Smith."

ARTHUR T. WORLEY

The Clerk called the next bill, H. R. 4583, for the relief of Arthur T. Worley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, secs. 767, 770), are hereby waived in favor of Arthur T. Worley, of St. Petersburg, Fla., who is alleged to have sustained an injury on December 15, 1933, while employed at the Veterans' Administration Facility at Bay Pines, Fla., which injury is alleged to have resulted in continuing physical disability, and his case is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if he files a notice of such injury and claim for compensation with the United States Employees' Compensation Commission not later than 60 days after the enactment of this act. The term "injury" as used in this act shall have the meaning assigned to such term in section 40 of such act of September 7, 1916, as amended (U. S. C., title 5, sec. 790).

With the following committee amendments:

Page 1, line 3, strike out the words "sections 17 and 20" and insert: "the limitations of time in sections 15 to 20, both inclusive."

Page 2, line 4, strike out the words "60 days" and insert "6 months."

Page 2, line 5, start with the words "The term" and strike out the remainder of the bill and insert in lieu thereof: "*Provided*, That no benefits shall accrue prior to the approval of this act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HELEN RAUCH

The Clerk called the next bill, H. R. 4864, for the relief of Helen Rauch.

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Claims.

MAJ. WILLIAM W. McCRAW

The Clerk called the next bill, H. R. 5568, for the relief of Maj. William W. McCaw.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maj. William W. McCaw, Medical Corps, United States Army, the sum of \$336 in full satisfaction of his claim against the United States for a stoppage in pay ordered against him on March 27, 1923, as a result of overpayments of an allotment in the case of Pvt. Joseph Caci, from August 19, 1920, the date such soldier was court-martialed, through June 30, 1922, the date it was discovered that he had previously been dishonorably discharged, although Major McCaw was not, at the time of the court martial or discharge of such soldier, his immediate commanding officer and therefore not subject to the collection made from him.

With the following committee amendment:

Page 2, line 1, after the word "discharged", insert a comma, strike out the remainder of the bill, and add the following: "such overpayment resulting from the failure of Major McCaw, through a misinterpretation of regulations, to notify the Finance Department of the Army of the said discharge of Pvt. Joseph Caci: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HENRIETTA WILLS

The Clerk called the next bill, H. R. 5639, for the relief of Henrietta Wills.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money

in the Treasury not otherwise appropriated, the sum of \$10,000 to Henrietta Wills, of Springfield, Ohio, as full compensation for permanent injuries and damages received by the said Henrietta Wills on the 29th day of May 1936, caused by being struck by a truck, then in the service of the Post Office Department, said injuries being caused by negligence of the driver of said truck without any contributory negligence on the part of the said Henrietta Wills: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out the figures "\$10,000" and insert "\$4,000."

Page 1, line 6, strike out the words "as full compensation" and insert "in full satisfaction of her claim against the United States."

Page 1, lines 7 and 8, strike out the words "the said Henrietta Wills" and insert "her."

Page 1, line 9, start with the word "truck" and strike out all of the bill down to and including the name "Henrietta Wills"; in line 12, and insert in lieu thereof "United States mail truck while she was standing on the sidewalk at the intersection of Lagonda Avenue and Laurel Street, Springfield, Ohio."

The committee amendments were agreed to.

Mr. COSTELLO. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 1, line 6, strike out "\$4,000" and insert in lieu thereof "\$2,500."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY LOUISE CHAMBERS

The Clerk called the next bill, H. R. 5768, for the relief of A. B. Chambers and in behalf of Mary Louise Chambers, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. B. Chambers, of Sweetwater, Tex., on behalf of his daughter, Mary Louise Chambers, a minor, the sum of \$10,505, in full satisfaction of all claims against the United States for injuries sustained through the negligence of Works Progress employees when they left lumber piled and strewn about the yard of the home of A. B. Chambers, in Sweetwater, Tex., and from which cause Mary Louise Chambers fell and sustained a broken leg on December 27, 1935, causing her to be a sufferer through life with a stiff knee: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, lines 5 and 6, strike out the words "A. B. Chambers, of Sweetwater, Tex., on behalf of his daughter" and insert "the legal guardian of."

Page 1, line 7, after the word "minor", insert "of Sweetwater, Tex."

Page 1, line 7, also strike out the figures "\$10,505" and insert "\$2,000."

Page 1, line 8, after the word "sustained", insert "by her."

Page 1, line 9, after the word "Progress", insert the word "Administration."

Page 1, line 11, after the name "Chambers", insert a comma and the words "her father."

Page 2, lines 2 and 3, strike out the words "causing her to be a sufferer through life with a stiff knee."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill for the relief of Mary Louise Chambers, a minor."

S. UTTAL

The Clerk called the next bill, H. R. 5994, for the relief of S. Uttal.

Mr. COSTELLO and Mr. COLE of New York objected, and under the rule, the bill was recommitted to the Committee on Claims.

R. E. RAINER

The Clerk called the next bill, H. R. 6135, for the relief of R. E. Rainer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to R. E. Rainer, of Fort Myers, Fla., out of any money in the Treasury not otherwise appropriated, the sum of \$101.50, in full settlement of all claims against the Government of the United States, representing the value of personal property owned by Mr. Rainer which was destroyed by fire when the customs vessel U. S. Cutter 4192 was destroyed by explosion and fire on December 3, 1935, at Pass-A-Grille, Fla.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, lines 4 and 5, after the word "pay", insert a comma and strike out the words "to R. E. Rainer, of Fort Myers, Fla."

Page 1, line 6, after the word "appropriated", insert "to R. E. Rainer."

Page 1, line 6, also, after the figures, insert a comma and the words and figures "to R. H. Alderman the sum of \$99.50, and to John Harmon, the sum of \$53.73."

Page 1, lines 8 and 9, strike out the words "owned by Mr. Rainer which was destroyed by fire" and insert "which they lost in the performance of their duties as customs patrol inspectors."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill for the relief of R. E. Rainer, R. H. Alderman, and John Harmon."

SADIE N. PIKE AND EDWARD W. PIKE

The Clerk called the next bill, H. R. 6155, for the relief of Sadie N. Pike and Edward W. Pike.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,612.80 to Sadie N. Pike and the sum of \$403.20 to Edward W. Pike, as the mother and father, respectively, of Edward G. Pike, who died of injuries received in line of duty as an enrolled member of the Civilian Conservation Corps in Company 461, Camp SC P-62, Kingstree, S. C., Fourth Corps Area, on December 6, 1933; the amounts herein appropriated representing the amounts which would have been awarded to the said Sadie N. Pike and Edward W. Pike by the United States Employees' Compensation Commission had their claims for compensation been filed within 1 year after the death of their son, Edward G. Pike.

With the following committee amendment:

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

"That the limitations of time in sections 15 to 20, both inclusive, of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', approved September 7, 1916, as amended by sundry acts, including the act of February 15, 1934, are hereby waived, and the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider the claim of Sadie N. Pike and Edward W. Pike, of Greenville, S. C., for compensation for the death of their son, Edward G. Pike, resulting from injuries sustained in line of duty as an enrollee of the Civilian Conservation Corps in Company 461, Camp SC P-62, Kingstree, S. C., on December 5, 1933: *Provided*, That the United States Employees' Compensation Commission is also hereby authorized to receive

and consider claims for compensation by the said Sadie N. Pike and Edward W. Pike on behalf of the dependent minor brothers and sister of Edward G. Pike."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNIE FLEMING ET AL.

The Clerk called the next bill, H. R. 6271, for the relief of Annie Fleming, George Perdue, O. B. Ross, and Sadie Washington.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government arising out of a collision involving an Army truck and trailer about 2 miles north of Palmetto, Ga., on the night of March 6, 1933, the sum of \$5,000 to Annie Fleming, whose husband, Larry Washington Fleming, was killed in the collision; the sum of \$1,500 to George Perdue, the sum of \$2,500 to O. B. Ross, and the sum of \$1,000 to Sadie Washington, all of whom were severely injured in said collision: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

"That jurisdiction is hereby conferred upon the United States District Court for the Northern District of Georgia to hear, determine, and render judgment, as if the United States were suable in tort, upon the claims of George Perdue, O. B. Ross, Sadie Washington, and the estate of Larry W. Fleming, deceased, all of Atlanta, Ga., for damages resulting from personal injuries, death, and property damage received by them on March 6, 1933, by reason of an automobile collision involving a United States Army truck and trailer, on the Atlanta-Newnan Highway, near Palmetto, Ga.: *Provided*, That the judgment, if any, shall not exceed, in the case of George Perdue, \$3,000; in the case of O. B. Ross, \$3,000; in the case of Sadie Washington, \$3,000; and in the case of the estate of Larry W. Fleming, \$5,000.

"Sec. 2. Suit upon such claims may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, appeals therefrom, and payment of any judgments thereon shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill conferring jurisdiction upon the United States District Court for the Northern District of Georgia to hear, determine, and render judgment upon the claims of George Perdue, O. B. Ross, Sadie Washington, and the estate of Larry W. Fleming."

SALLIE S. TWILLEY

The Clerk called the next bill, S. 1585, for the relief of Sallie S. Twilley.

Mr. HANCOCK of New York and Mr. COLE of New York objected, and, under the rule, the bill was recommitted to the Committee on Claims.

CLARENCE JOSEPH FERGUSON

The Clerk called the next bill, H. R. 7716, to provide for admission into the United States of Clarence Joseph Ferguson, an alien.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 3 of the Immigration Act of 1917 relating to the exclusion of persons who have been convicted of or admit having committed a crime or other crime or misdemeanor involving moral turpitude, Clarence Joseph Ferguson shall be admitted into the

United States if he applies within _____ from the date of enactment of this act for admission to the United States.

With the following committee amendment:

Page 1, line 8, after the word "within", insert "6 months."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF SUNDRY ALIENS

The Clerk called the next bill, H. R. 7838, for the relief of sundry aliens.

Mr. COSTELLO. Mr. Speaker, I make the point of order that is an omnibus bill.

The SPEAKER. The point of order is sustained. This appears to be an omnibus claims bill and, without objection, it will be passed over.

There was no objection.

WATERTON OIL, LAND & POWER CO., OF BUTTE, MONT., V. UNITED STATES

The Clerk called the next bill, S. 190, to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Waterton Oil, Land & Power Co., of Butte, Mont., against the United States.

Mr. COSTELLO and Mr. COLLINS objected, and, under the rule, the bill was recommitted to the Committee on Public Lands.

W. J. STECKEL

The Clerk called the next bill, H. R. 599, for the relief of W. J. Steckel.

Mr. COSTELLO and Mr. COLLINS objected, and, under the rule, the bill was recommitted to the Committee on Claims.

D. X. SANDERS

The Clerk called the next bill, H. R. 1185, for the relief of D. X. Sanders.

Mr. COSTELLO and Mr. COLLINS objected, and, under the rule, the bill was recommitted to the Committee on Claims.

GETLOW KALBERG

The Clerk called the next bill, H. R. 1233, for the relief of Getlow Kalberg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Miss Getlow Kalberg, a resident teacher of the Pierre Indian School, the sum of \$2,135.15 in full settlement of all claims against the United States for loss of personal property housed in Morgan Hall, Pierre Indian School, Pierre, S. Dak., which was destroyed by fire on July 10, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, after the word "to", strike out the remainder of line 5 and all of lines 6, 7, 8, 9, and 10 and insert the following: "the following-named employees of the Pierre Indian School, South Dakota, or their heirs, for losses sustained through destruction by fire of the Government building in which they were assigned quarters, the fire having occurred on July 10, 1936, sums as follows: Getlow Kalberg, \$1,601.36; Thurman Shaffer, \$159.30; Mildred Shaffer, \$279.46; Ethel Cotter, \$244.81; Bertha Hitchcock, \$1,287.56; Charles Walker, \$43.01; Thomas Saul, \$106.42; Mrs. Oren Cason, \$713.25; Mildred Sully, \$249.56; Cecelia Sully (now Mrs. K. Barry), \$181.65; L. D. McGhee, \$375. Said sums shall be in full settlement of all claims against the United States for damages sustained as a result of this fire."

Page 2, line 17, strike out "claim" and insert "claims."

Page 2, line 21, strike out "claim" and insert "claims."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended to read as follows: "A bill for the relief of the employees of the Indian Service for destruction by fire of personally owned property in Government quarters at the Pierre Indian School, South Dakota."

ANNA L. ANDREAS AND ANITA ANDREAS

The Clerk called the next bill, H. R. 1251, for the relief of Anna L. Andreas and Anita Andreas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anna L. Andreas the sum of \$11,628 in settlement of her claim against the United States for damage caused by the flooding of her property through diversion of the natural flow of floodwaters by the building of dikes and dams incident to construction of the United States detention farm at La Tuna, Tex.

Sec. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anita Andreas, the sum of \$5,000 in settlement of her claim against the United States for injury to her health caused by the flooding of the property of her mother, Anna L. Andreas, by diversion of the natural flow of floodwaters by the building of dikes and dams incident to construction of the United States detention farm at La Tuna, Tex.

With the following committee amendments:

Page 1, line 5, strike out "Andreas the sum of \$11,628 in" and insert "Andreas, of La Tuna, Tex., the sum of \$2,500 in full."

Page 1, line 9, after the word "property" insert "during August and September 1935."

Page 2, line 6, strike out "the sum of \$5,000 in" and insert "of La Tuna, Tex., the sum of \$500, in full settlement."

Page 2, line 12, after the word "Texas", insert a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. COSTELLO. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 1, line 7, after the words "sum of", strike out "\$2,500" and insert "\$2,000."

The amendment to the committee amendment was agreed to.

The committee amendment, as amended, was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAPT. WALTER L. SHEARMAN

The Clerk called the next bill, H. R. 1750, for the relief of Capt. Walter L. Shearman.

Mr. MOTT and Mr. COLE of New York objected, and, under the rule, the bill was recommitted to the Committee on Claims.

MARTIN BRIDGES

The Clerk called the next bill, H. R. 1872, for the relief of Martin Bridges.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Martin Bridges, of Greenville, S. C., out of any money in the Treasury not otherwise appropriated, the sum of \$1,946.74 in full payment of all claims of the said Martin Bridges for damages to his one Graham and two Packard automobiles, as the result of an accident which occurred on September 25, 1935, in Knoxville, Tenn., involving a Government-owned truck assigned to Camp T. V. A. P. 10, alleged to have been operated by William B. Willis, a junior foreman at said camp of the Civilian Conservation Corps.

With the following committee amendments:

Page 1, line 5, after the word "Treasury", strike out "not otherwise appropriated" and insert "allocated by the President for the maintenance and operation of the Civilian Conservation Corps."

Page 1, line 8, after the word "full", strike out the remainder of line 8 and all of line 9 and insert "settlement of all claims against the United States."

Page 2, line 2, after "1935", strike out the remainder of line 2 and all of lines 3, 4, and 5, and insert "on the TVA Freeway, between Knoxville and Norris, Tenn., involving a National Park Service truck operated by the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAUL AND A. B. JOHNSON

The Clerk called the next bill, H. R. 2192, for the relief of Paul and A. B. Johnson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul and A. B. Johnson the sum of \$1,000 in full settlement of all claims against the United States for the loss of services of the father, A. B. Johnson, and the injuries sustained by Paul when he was struck by a truck driven by an enrollee of the Civilian Conservation Corps at or near Hampton, Tenn., on or about September 20, 1934.

With the following committee amendments:

Page 1, line 5, after the word "Treasury", strike out the remainder of line 5 and all of lines 6, 7, 8, 9, and 10, and on page 2 all of line 1 and insert "allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to the legal guardian of Paul Johnson, a minor, of Hampton, Tenn., the sum of \$750, and to A. B. Johnson, of Hampton, Tenn., his father, the sum of \$250, in full settlement of all claims against the United States, and in settlement of the judgments obtained against Fred A. Baker in the Circuit Court for Carter County, Tenn., as a result of personal injuries sustained by Paul Johnson when he was struck by a Forest Service truck, driven by said Fred A. Baker, an employee of the Civilian Conservation Corps, on State Highway No. 67, near Hampton, Tenn., on September 25, 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. COSTELLO. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO to the committee amendment: Page 2, line 6, after the words "United States" strike out the remainder of the line and all of lines 7 and 8 up to and including the word "Tennessee."

Page 2, line 21, after "\$1,000" change the period to a colon and insert "Provided further, That no moneys appropriated herein shall be paid until any judgment obtained by the claimants herein against the Government officer or employee as a result of the accident described herein shall have been satisfied of record."

The amendments to the committee amendment were agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GALLUP'S, INC.

The Clerk called the next bill, H. R. 2215, for the relief of Gallup's, Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gallup's, Inc., Kansas City, Mo., the sum of \$198.50. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Gallup's, Inc., on account of the destruction by fire at Washington State Park, De Soto, Mo., on March 12, 1935, of certain surveying instruments which were leased by such company under its former name of "Gallup Map and Supply Co." to the Department of the Interior, National Park Service.

With the following committee amendment:

Page 2, line 3, after the word "Service", insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JEROME H. HOWARD

The Clerk called the next bill, H. R. 2451, for the relief of Jerome H. Howard.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jerome H. Howard, the sum of \$871.26 in full settlement of all claims against the United States for losses incurred by him as a result of a collision with an Army truck being negligently driven by a member of the United States Army stationed at Scott Field, Belleville, Ill., near Glenview, Ill., on November 18, 1935: *Provided, That* no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, at the beginning of the line, insert "of Harrisburg, Ill.", and in the same line strike out "\$871.26" and insert "\$859.86."

Line 7, strike out the word "losses", and at the beginning of line 8, strike out the words "incurred by him" and insert "damage to his truck."

Line 9, after the word "truck", strike out the remainder of line 9 and all of line 10.

Page 2, strike out all of line 1 and insert "on United States Highway No. 50."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

L. S. SNIPES

The Clerk called the next bill, H. R. 2994, for the relief of L. S. Snipes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to L. S. Snipes, of Tupelo, Miss., the sum of \$200. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by L. S. Snipes as a result of the personal injuries received by his minor son, Lamar Snipes, when the vehicle in which the said Lamar Snipes was riding was struck, on September 26, 1935, by a vehicle in the service of the Civilian Conservation Corps.

With the following committee amendments:

Page 1, line 4, after the word "Treasury", strike out the remainder of line 4 and all of lines 5, 6, 7, 8, 9, and 10 and insert "allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Lamar Snipes, of Tupelo, Miss., the sum of \$300, and to Luther S. Snipes, of Tupelo, Miss., the sum of \$200, in full settlement of all claims against the United States for personal injuries sustained by Lamar Snipes, and his expenses and losses incident thereto, when the truck he was driving."

Page 2, line 9, after the word "Corps", insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Amend the title.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Lamar Snipes and Luther S. Snipes."

WILLIAM O'CONNELL

The Clerk called the next bill, H. R. 3552, for the relief of William O'Connell.

Mr. COSTELLO and Mr. COLLINS objected, and, under the rule, the bill was recommitted to the Committee on Claims.

GEORGE MILLER, JR.

The Clerk called the next bill, H. R. 4133, for the relief of George Miller, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Treasurer of the United States be, and he is hereby, directed and instructed to pay to George Miller, Jr., of Fresno, Calif., the sum of \$10,000 for injuries sustained when struck by a Civilian Conservation Corps truck near Fresno, Calif., on July 8, 1933.

Sec. 2. That there is hereby appropriated, from funds not otherwise appropriated, the sum of \$10,000 to carry out the purposes of this act.

With the following committee amendments:

Page 1, strike out all after the enacting clause and insert the following:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to the legal guardian of George Miller, Jr., a minor, of Fresno, Calif., the sum of \$3,000 in full settlement of all claims against the United States for personal injuries sustained by him when the truck in which he was riding was struck, on July 9, 1933, by a Civilian Conservation Corps truck at the intersection of Fresno and Shaw Streets, Fresno, Calif.: *Provided, That* no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of George Miller, Jr., a minor."

CONSOLIDATED AIRCRAFT CORPORATION

The Clerk called the next bill, H. R. 4150, for the relief of the Consolidated Aircraft Corporation.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 1381), for the relief of the Consolidated Aircraft Corporation, may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Consolidated Aircraft Corporation the sum of \$79,116.83, in full settlement of all claims against the United States for additional costs incurred by such corporation in the performance of a contract with the Department of the Navy dated June 13, 1933 (contract numbered No.—31792): *Provided, That* no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 4150) was laid on the table.

COAL HULK "CALLIXENE"

The Clerk called the next bill, H. R. 4777, conferring jurisdiction on certain courts of the United States to hear and determine the claim of the owner of the coal hulk *Callixene*, and for other purposes.

Mr. MOTT, Mr. COSTELLO, and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Claims.

PUGET SOUND BRIDGE & DREDGING CO.

The Clerk called the next bill, H. R. 5161, for the relief of the Puget Sound Bridge & Dredging Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Puget Sound Bridge & Dredging Co., of Seattle, Wash., the sum of \$1,020.44 in full settlement for claim arising as the result of damages sustained by reason of suspension of dredging operations by the United States under contract W-869-eng-666, dated October 18, 1933, from 8 a. m., November 20, 1934, to 8 a. m., November 26, 1934: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 7, strike out "\$1,020.44" and insert "\$856.97."
Line 7, strike out the words "for claim arising as the result of" and insert "of all claims against the United States for."
Page 2, beginning in line 1, after the word "from", strike out the remainder of line 1 and the word "meridian" in line 2.
Line 2, after the word "to", strike out "8 a. m."
Line 3, strike out "26" and insert "25."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COL. WILLIAM H. NOBLE

The Clerk called the next bill, H. R. 5260, for the relief of Col. William H. Noble.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Col. William H. Noble, Quartermaster Corps, United States Army, \$10,100.70, or so much of such sum as shall have been collected from him prior to the passage of this act, representing the loss of public funds due to financial irregularities and frauds against the Government, in the handling of public funds by a civilian employee of the Quartermaster Corps at Fort Jay, N. Y., during the period from on or about July 14, 1928, to July 7, 1930, for which Colonel Noble has been held responsible as post quartermaster: *Provided,* That no part of this shortage shall be later charged to Col. William H. Noble, Quartermaster Corps, United States Army.

With the following committee amendments:

Page 1, line 6, after the word "Army", insert "retired, the sum of."
In line 9, after the word "act", strike out the word "representing" and insert "in full satisfaction of his claim against the United States as a result of."
Page 2, line 3, after the word "from", strike out "on or about."
Page 2, line 3, after "1930", strike out the remainder of the bill and insert "while Colonel Noble was on duty as post quartermaster at Fort Jay and constructing quartermaster at Fort Jay and New York City: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COSTELLO. Mr. Speaker, I move to dispense with the further calling of bills on the Private Calendar today.

The motion was agreed to.

DERBY OIL CO.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to return to Private Calendar No. 599, the bill H. R. 459, for the relief of the Derby Oil Co.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Derby Oil Co., Wichita, Kans., the sum of \$582.47. Such sum represents the amount due for furnishing gasoline to the quartermaster, Fort Riley, Kans., under item 123 (a), contract TPS 9477, dated December 10, 1935, during the period January 1 to March 31, 1936, and covers the loss of \$582.47 sustained by the Derby Oil Co., Wichita, Kans., through clerical error in calculating the freight rate on gasoline shipped from the Derby Oil Co.'s bulk plant at Wichita, Kans., to destination.

With the following committee amendments:

Page 1, line 6, after the word "of", strike out "\$582.47. Such sum represents the amount due" and insert "\$445.20, in full satisfaction of its claim against the United States."

Page 1, line 11, after the figure "1936", strike out the balance of the line and all of line 1 on page 2, and the words "Kansas, through" in line 2 and insert "covering the loss sustained through its."

At the end of the bill insert the following: "*Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH NOEL ROBERTS

Mr. GREEN. Mr. Speaker, I ask unanimous consent to return to Private Calendar No. 531, the bill (H. R. 2345) for the relief of Joseph Noel Roberts, and I hope there will be no objection to this bill, because it is a case of unusual merit and will give the difference in retired pay and compensation to a totally blind veteran.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Florida asks unanimous consent to return to Private Calendar No. 531, the bill H. R. 2345. Is there objection?

Mr. COSTELLO and Mr. HANCOCK of New York objected.

EXTENSION OF REMARKS

Mr. GREEN and Mr. MAAS asked and were given permission to extend their remarks in the Record.

COMMITTEE ON ACCOUNTS

Mr. WARREN. Mr. Speaker, I ask unanimous consent that the Committee on Accounts be given permission to sit tomorrow during sessions of the House.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

THOMAS W. SEAY

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1044) for the relief of Thomas W. Seay, and ask for its immediate consideration.

The Clerk read the title of the bill.

Mr. MAPES. Mr. Speaker, reserving the right to object, is this a bill that was on the Private Calendar and objected to today?

Mr. DEMPSEY. The bill has passed the Senate, but has not been put on the Private Calendar. It has been reported favorably by the House committee. The condition of this

man is such that he is expected to die almost any time and he has a wife and three children.

Mr. FORD of California. Mr. Speaker, I reserve the right to object to find out something about the bill.

Mr. DEMPSEY. This man was an enforcement officer and was shot while capturing three counterfeiters who were sent to the penitentiary for a period of 15 years each. The picture I have here shows the injuries he sustained.

Mr. FORD of California. What kind of an enforcement officer was this man?

Mr. DEMPSEY. A deputy sheriff enforcing a Federal statute and three men who were counterfeiters were captured and sent to the penitentiary for a period of 15 years. He received this permanent injury and can only live a short time. He has a wife and large family.

The bill has all ready passed the Senate and is now on the Speaker's desk.

Mr. FORD of California. I withdraw my objection, Mr. Speaker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas W. Seay, of Albuquerque, N. Mex., the sum of \$10,000 in full settlement of any and all claims against the Government on account of personal injuries sustained by him as a result of gunshot wounds received while in the performance of his duty as a deputy sheriff attempting to arrest a counterfeiter, said injuries having resulted in his permanent total disability: Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WATERTON OIL, LAND & POWER CO.

Mr. O'CONNELL of Montana. Mr. Speaker, I ask unanimous consent to return to Calendar No. 583, S. 190, to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Waterton Oil, Land & Power Co., of Butte, Mont., against the United States.

The SPEAKER. The gentleman from Montana asks unanimous consent to return to S. 190. Is there objection?

Mr. COSTELLO. Mr. Speaker, I object.

Mr. O'CONNELL of Montana. Mr. Speaker, I wish the gentleman would withdraw his objection to this bill.

Mr. COSTELLO. Mr. Speaker, when the bill was called on the Private Calendar, I objected to it. I do not see why I should withdraw my objection at this time. I object to returning.

The SPEAKER. Objection is heard.

CHARLES CARROLL OF CARROLLTON BICENTENARY COMMISSION

Mr. WOLCOTT. Mr. Speaker, in the consideration of the Consent Calendar yesterday, Senate Joint Resolution 171, relating to the employment of personnel and expenditures made by the Charles Carroll of Carrollton Bicentenary Commission, was considered and passed by the House with an amendment offered by myself striking out lines 5 and 6 on page 2. Inadvertently I did not include in that amendment the words immediately preceding in lines 3 and 4, "and be it further." I ask unanimous consent to vacate the proceedings whereby Senate Joint Resolution 171 was read a third time and passed, and consider the same at this time.

The SPEAKER. The gentleman from Michigan asks unanimous consent to vacate the proceedings whereby Senate Joint Resolution 171 was considered and passed yesterday and that the same be considered now. The Clerk will report the title of the joint resolution.

The Clerk reported the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOLCOTT. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read. The Clerk read as follows:

Amendment by Mr. WOLCOTT: Page 2, line 3, after the word "funds", strike out the semicolon and the remainder of the line and all of line 4 and insert a period.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The Senate joint resolution as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

ADDITIONAL REVENUE FOR THE DISTRICT OF COLUMBIA

Mr. PALMISANO. Mr. Speaker, I call up the conference report upon the bill (H. R. 7472) to provide additional revenue for the District of Columbia and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Maryland calls up the conference report upon the District tax bill, H. R. 7472, and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7472) to provide additional revenue for the District of Columbia, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11, 12, 29, 30, 31, and 32.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 33, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"Title II—Taxes on insurance companies

"SECTION 1. On and after the 1st day of September 1937, every domestic, foreign, or alien company organized as a stock, mutual, reciprocal, Lloyd's, fraternal, or any other type of insurance company or association, before issuing contracts of insurance against loss of life or health, or by fire, marine, accident, casualty, fidelity and surety, title guaranty, or other hazard not contrary to public policy, shall obtain from the superintendent of insurance of the District of Columbia an annual license or certificate of authority, upon payment of a fee of \$25 to the collector of taxes of the District of Columbia. All licenses for insurance companies who may apply for permission to do business in the District of Columbia shall date from the first of the month in which application is made, and expire on the 30th day of April following, and payment shall be made in proportion.

"SEC. 2. Any such company issuing contracts of insurance in the District of Columbia, without first having obtained license or certificate of authority from the superintendent of insurance so to do, shall upon conviction be subject to a fine of \$100 per day for each day it shall engage in business without such license or certificate of authority.

"SEC. 3. All prosecutions for violations of this title shall be in the police court of the District of Columbia by the corporation counsel of the District of Columbia or any of his assistants.

"SEC. 4. Each of such companies shall file an annual statement, in the form prescribed by the superintendent of insurance, before March 1 of each year, of its operations for the year ending December 31 immediately preceding. Such statement shall be verified by the oath of the president and secretary or in their absence by two other principal officers. The fee for filing said statement shall be \$20 and payment therefor shall be made to the collector of taxes of the District of Columbia.

"SEC. 5. If any such company shall fail to file the annual statement herein required, the superintendent of insurance may thereupon revoke its license or certificate of authority to transact business in the District of Columbia.

"SEC. 6. All such companies shall also pay to the collector of taxes of the District of Columbia a sum of money as taxes equal to 2 per centum of its policy and membership fees and net premium

receipts on all insurance contracts on risks in the District of Columbia, said taxes to be paid before the 1st day of March of each year on the amount of income for the year ending December 31 next preceding. Such tax shall be in lieu of all other taxes except (1) taxes upon real estate, and (2) fees and charges provided for by the insurance laws of the District including amendments made to such laws by this title.

"Net premium receipts" means gross premiums received less the sum of the following:

- "1. Premiums returned on policies canceled or not taken;
- "2. Premiums paid for reinsurance where the same are paid to companies duly licensed to do business in the District; and
- "3. Dividends paid in cash or used by policyholders in payment of renewal premiums.

"Nothing contained in this section or in sections 1 or 7 of this title shall apply with respect to marine insurance written within the said District and reported, taxed, and licensed under the provisions of the act entitled 'An act to regulate marine insurance in the District of Columbia, and for other purposes', approved March 4, 1922, as amended.

"Sec. 7. If any such company shall fail to pay the tax herein required, it shall be liable to the District of Columbia for the amount thereof, and in addition thereof a penalty of 8 per centum per month thereafter until paid.

"Sec. 8. Nothing contained in this title shall apply to any relief association, not conducted for profit, composed solely of officers and enlisted men of the United States Army or Navy, or solely of employees of any other branch of the United States Government service or solely of employees of the District of Columbia government, or solely of employees of any individual, company, firm, or corporation or to any fraternal organization which issues contracts of insurance exclusively to its own members.

"Sec. 9. Any act or part of any act insofar as it is inconsistent with the provisions of this title is hereby repealed."

And the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with amendments, as follows: Restore the matter proposed to be stricken out by the Senate amendment, and in lieu of the matter proposed to be inserted by the Senate amendment, on page 11 of the House bill, line 16, after "fuel" insert "to be used by him or"; and on page 12 of the House bill, line 19, after "fuel" insert "to be used by him or"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"Title VI—Tax on privilege of doing business

"SECTION 1. Where used in this title—

"(a) The term 'person' includes any individual, firm, copartnership, joint adventure, association, corporation (domestic or foreign), trust, estate, receiver, or any other group or combination acting as a unit, but shall not include railroad or railroad express companies which report to and are subject to regulation by the Interstate Commerce Commission under the provisions of the Interstate Commerce Act of 1937, as amended.

"(b) The term 'taxpayer' means any person liable for any tax hereunder.

"(c) The term 'Commissioners' means the Commissioners of the District of Columbia or their duly authorized representative or representatives.

"(d) The term 'business' shall include the carrying on or exercising for gain or economic benefit, either direct or indirect, any trade, business, profession, vocation, or commercial activity in or on privately owned property and in or on property owned by the United States Government in the District of Columbia, not including, however, labor or services rendered by any individual as an employee for wages, salary, or commission.

"(e) The term 'gross receipts' means the gross receipts received from any business in the District of Columbia, including cash, credits, and property of any kind or nature, without any deduction therefrom on account of the cost of the property sold, the cost of materials, labor, or services or other costs, interest, or discount paid, or any other expenses whatsoever: *Provided*, That the term 'gross receipts' when used in connection with or in respect of financial transactions involving the sale of notes, stocks, bonds, and other securities, or the loan, collection, or advance of money, or the discounting of notes, bills, or other evidences of debt, shall be deemed to mean the gross interest, discount, commission, or other gross income earned by means of or resulting from said financial transactions: *Provided further*, That in connection with commission merchants, attorneys or other agents, the term 'gross receipts' shall be deemed to mean the gross amount of such commissions or gross fees received by them, and, as to stock and bond brokers, the term 'gross receipts' shall be deemed to mean gross amount of commissions or gross fees received, the gross trading profit on securities bought and sold, and the gross interest income on marginal accounts from business done or arising in the District of Columbia: *Provided further*, That with respect to contractors the term 'gross receipts' shall mean their total receipts less money paid by them to sub-contractors for work and labor performed and material furnished by such sub-contractors in connection with such work and labor.

"(f) The term 'fiscal year' means a year beginning on the 1st day of July and ending on the 30th day of the June following.

"Sec. 2. No person shall engage in or carry on any business in the District of Columbia after sixty days from the approval of this Act and until July 1, 1938, without first having obtained a license so to do from the Commissioners, except that no license shall be required of any person selling newspapers, magazines, or periodicals, whose sales are not made from a fixed location and which sales do not exceed the annual sum of \$2,000. All licenses issued under this title shall expire on June 30, 1938, and no license may be transferred to any other person.

"All licenses granted under this title must be conspicuously posted on the premises of the licensee and said license shall be accessible at all times for inspection by the police or other officers duly authorized to make such inspection. Licensees having no located place of business shall exhibit their licenses when requested to do so by any of the officers above named.

"Licenses shall be good only for the location designated thereon, except in the case of licenses issued hereunder for businesses which in their nature are carried on at large and not at a fixed place of business, and no license shall be issued for more than one place of business without a payment of a separate fee for each.

"The Commissioners may, after hearing, revoke any license issued hereunder for failure of the licensee to file a return or corrected return within the time required by this title or to pay any installment of tax when due.

"Sec. 3. Each application for license shall be accompanied by a filing fee of \$10: *Provided, however*, That no license fee shall be required of any person if he shall certify under oath that his gross receipts during the year immediately preceding his application, if he was engaged in business during all of such period of time, or his gross receipts as computed in the manner provided in section 5 of this title, if he was engaged in business for less than one year immediately preceding his application, was not more than \$2,000. Such application shall be upon a form prescribed and furnished by the Commissioners.

"Sec. 4. Every person subject to the tax hereunder shall, within thirty days after the approval of this Act, furnish to the assessor, on a form prescribed by the Commissioners, a statement under oath showing the gross receipts of the taxpayer during the preceding calendar year, which said return shall contain such other information as the Commissioners may deem necessary for the proper administration of this title.

"The Commissioners, for the purpose of ascertaining the correctness of any return filed hereunder, or for the purpose of making a return where none has been made, are authorized to examine any books, papers, records, or memoranda bearing upon the matters required to be included in the return and may summon any person to appear and produce books, records, papers, or memoranda bearing upon the matters required to be included in the return, and to give testimony or answer interrogatories under oath respecting the same, and the Commissioners shall have power to administer oaths to such person or persons. Such summons may be served by any member of the Metropolitan Police Department. If any person having been personally summoned shall neglect or refuse to obey the summons issued as herein provided, then, and in that event, the Commissioners may report that fact to the District Court of the United States for the District of Columbia, or one of the justices thereof, and said court or any justice thereof hereby is empowered to compel obedience to such summons to the same extent as witnesses may be compelled to obey the subpoenas of that court.

"The Commissioners are authorized and empowered to extend for cause shown the time for filing a return for a period not exceeding thirty days.

"Sec. 5. For the privilege of engaging in business in the District of Columbia, each person so engaged shall pay to the collector of taxes of the District of Columbia for the fiscal year 1937-1938 a tax equal to two-fifths of 1 per centum of the gross receipts in excess of \$2,000 derived from such business for the calendar year 1936: *Provided, however*, That the tax imposed by this section shall be payable only upon the gross commissions of any person engaged in the business of a broker or agent, and shall not be payable upon the funds of his principal, of which he is a mere conduit.

"If a taxpayer was not engaged in business during the whole of the calendar year 1936 he shall pay the tax imposed by this title measured by his gross receipts during the period of one year from the date when he became so engaged; and if such taxpayer shall not have been so engaged for an entire year prior to the approval of this Act, then the tax imposed shall be measured by his gross receipts for the period during which he was so engaged, multiplied by a fraction, the numerator of which shall be 365 and the denominator of which shall be the number of days during which he was so engaged.

"If a person liable for the tax during any year or portion of a year for which the tax is computed acquires the assets or franchises of or merges or consolidates his business with the business of any other person or persons, such person liable for the tax shall report, as his gross receipts by which the tax is to be measured, the gross receipts for such year of such other person or persons together with his own gross receipts during such year.

"Sec. 6. National banks and all other incorporated banks and trust companies, street railroad, gas, electric lighting and telephone companies, companies incorporated or otherwise, who guarantee the fidelity of any individual or individuals, such as bonding companies, companies who furnish abstracts of titles,

savings banks, and building and loan associations which pay taxes under existing laws of the District of Columbia upon gross receipts or gross earnings, and insurance companies which pay a tax upon premiums shall be exempt from the provisions of this title. Any tax levied by the District of Columbia upon tangible personal property (other than motor vehicles) for the fiscal year 1937-1938 and paid by such taxpayer shall be credited upon the tax due under this title.

"Sec. 7. The taxes imposed hereby shall be due thirty days after the approval of this Act and may be paid without penalty to the collector of taxes of the District of Columbia in equal semiannual installments in the months of September and March following. If either of said installments shall not be paid within the month when the same is due, said installment shall thereupon be in arrears and delinquent and there shall be added and collected to said tax a penalty of 1 per centum per month upon the amount thereof for the period of such delinquency, and said installment with the penalties thereon shall constitute a delinquent tax.

"Sec. 8. If a return required by this title is not filed, or if a return when filed is incorrect or insufficient and the maker fails to file a corrected or sufficient return within twenty days after the same is required by notice from the assessor, the assessor shall determine the amount of tax due from such information as he may be able to obtain, and, if necessary, may estimate the tax on the basis of external indices such as number of employees of the person concerned, rentals paid by him, stock on hand, and other factors. The assessor shall give notice of such determination to the person liable for the tax. Such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed shall within fifteen days after the giving of notice of such determination apply to the Board of Equalization and Review of the District for hearing and review, and the burden of proving the incorrectness of the assessor's determination shall be upon the taxpayer. After such hearing said Board shall give notice of its decision to the person liable for the tax. The decision of said Board may be reviewed by application to the District Court of the United States for the District of Columbia, if the said application be filed within twenty days after said notice: *Provided, however*, That the amount of any tax sought to be reviewed shall, with interest and penalties thereon, if any, be first deposited with the clerk of said court.

"Sec. 9. Any person failing to file a return or corrected return within the time required by this title shall be subject to a penalty of 10 per centum of the tax due plus 5 per centum of such tax for each month of delay or fraction thereof.

"Sec. 10. Any notice authorized or required under the provisions of this title may be given by mailing the same to the person for whom it is intended by registered mail addressed to such person at the address given in the return filed by him pursuant to the provisions of this title, or if no return has been filed then to his last-known address. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom addressed. Any period of time which must be determined under the provisions of this title by the giving of notice shall commence to run from the date of mailing such notice.

"Sec. 11. The taxes levied hereunder and penalties may be collected by the collector of taxes of the District of Columbia in the manner provided by law for the collection of taxes due the District of Columbia on personal property in force at the time of such collection.

"Sec. 12. Any person engaging in or carrying on business without first having obtained a license so to do, or failing or refusing to file a sworn report as required herein, or to comply with any rule or regulation of the Commissioners for the administration and enforcement of the provisions of this title shall, upon conviction thereof, be fined not more than \$1,000 for each and every failure, refusal, or violation, and each and every day that such failure, refusal, or violation continues shall constitute a separate and distinct offense. All prosecutions under this title shall be brought in the police court of the District of Columbia on information by the corporation counsel or his assistant in the name of the District of Columbia.

"Sec. 13. The Bureau of Internal Revenue of the Treasury Department of the United States is authorized and required to supply such information as may be requested by the Commissioners relative to any person subject to the taxes imposed under this title.

"Sec. 14. Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for the Commissioners or any person having an administrative duty under this title to divulge or make known in any manner the receipts or any other information relating to the business of a taxpayer contained in any return required under this title. The persons charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the United States or the District of Columbia, or on behalf of any party to any action or proceeding under the provisions of this title, when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of such returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer, or his duly authorized representative, of a certified copy of any return filed in connection with his tax, nor to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items

thereof, or the inspection by the corporation counsel of the District of Columbia, or any of his assistants, of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty. Returns shall be preserved for three years and thereafter until the Commissioners order them to be destroyed. Any violation of the provisions of this section shall be subject to the punishment provided by section 12 of this title.

"Sec. 15. This title shall not be deemed to repeal or in any way affect any existing act or regulation under which taxes are now levied."

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"Title VII—Rate of taxation on tangible property and miscellaneous provisions

"SECTION 1. (a) For the fiscal year ending June 30, 1938, the rate of taxation imposed for the District of Columbia on real and tangible personal property shall not be less than 1.75 per centum on the assessed value of such property.

"(b) The Commissioners of the District of Columbia are authorized to extend for not to exceed sixty days the time for payment of any installment of taxes on real property, tangible and intangible personal property, and other taxes, payable in September 1937.

"Authorization for advance of funds

"Sec. 2. Until and including June 30, 1938, the Secretary of the Treasury, notwithstanding the provisions of the District of Columbia Appropriation Act, approved June 29, 1922, is authorized and directed to advance, on the requisition of the Commissioners of the District of Columbia, made in the manner now prescribed by law, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary, from time to time, during said fiscal year to meet the general expenses of said District, as authorized by Congress, and such amounts so advanced shall be reimbursed by the said Commissioners to the Treasury out of the taxes and revenue collected for the support of the government of the said District of Columbia.

"Survey of tax structure of the District

"Sec. 3. There is hereby authorized to be appropriated out of the revenues of the District of Columbia the sum of \$5,000, for the employment of clerical services in connection with a survey and study of the entire tax structure of the District of Columbia to be made under the direction of the Commissioners of said District. Such sum shall be available for expenditure for personal services without regard to the civil service laws or the Classification Act of 1923, as amended. A report of such survey, with recommendations, shall be made by the Commissioners to Congress not later than January 15, 1938.

"Regulations

"Sec. 4. The Commissioners of the District of Columbia are authorized to make such rules and regulations as may be necessary to carry out the provisions of this Act.

"Separability of provisions

"Sec. 5. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby."

And the Senate agree to the same.

VINCENT L. PALMISANO,
AMBROSE J. KENNEDY,
JACK NICHOLS,
EVERETT M. DIRKSEN,
DEWEY SHORT,

Managers on the part of the House.

WILLIAM H. KING,
PAT MCCARRAN,
MILLARD E. TYDINGS,
ARTHUR CAPPER,
WARREN R. AUSTIN,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7472) to provide additional revenue for the District of Columbia, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

On amendments nos. 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 19, 20, 21, 22, 23, 24, 25, and 26: These amendments make clerical changes and certain clarifying and perfecting amendments to the text of titles I, III, and IV of the House bill with a view to simplifying the administration and collection of the taxes to which those titles relate, namely, personal-property taxes, gasoline taxes, and motor-vehicle weight taxes. None of the amendments was controversial. The Senate recedes on amendments numbered 11 and 12; the House recedes with an amendment on amendment

numbered 10; and the House recedes on the balance of the amendments above enumerated.

On amendment no. 9: This amendment eliminates title II of the House bill relating to taxes on insurance companies. The conference action restores the provisions of the House bill, makes certain clarifying changes, and adds a provision exempting marine insurance written within the District and taxed under the provisions of the act of March 4, 1922.

On amendments nos. 16, 17, and 18: These amendments restore the rates of taxation in title V, article I, of the House bill (relating to inheritance taxes) which were in the bill as reported to the House on June 11, 1937. The House recedes.

On amendment no. 27: This amendment eliminates title VI of the House bill relating to tax on privilege of doing business. There was no corresponding provision in the bill as it passed the Senate. The conference action restores such tax but limits its operation to one year, increases the exemption from \$1,000 to \$2,000, and reduces the rate of tax from three-fifths of 1 percent of the gross receipts in excess of \$2,000 to two-fifths of 1 percent of such gross receipts. In addition, it eliminates the progressive license fee upon chain stores. It also provides that any tax levied upon tangible personal property (other than motor vehicles) for the fiscal year 1937-38 shall be credited upon such tax. Provision is also made, in the case of contractors, restricting the application of the tax to their gross receipts less money paid by them to subcontractors for work and labor performed and material furnished by such subcontractors. Certain clarifying amendments are also made in the text of the House bill.

On amendments nos. 28, 29, and 31: Amendment no. 28 eliminates title VII of the House bill fixing the rates on real and tangible personal property for the fiscal year ending June 30, 1938, at 1.7 percent of the assessed value of such property. Amendment no. 29 imposes an additional tax on land for such fiscal year of 1 percent upon the assessed value of the land exclusive of improvements. It is also provided in this amendment for an extension for not to exceed 90 days of the time for payment of installments on real-estate taxes payable in September 1937. Amendment no. 31 authorizes an advance of funds by the Secretary of the Treasury to the District until June 30, 1938, to meet the general expenses of the District and to be reimbursed by the Commissioners out of taxes and revenues collected for the support of the government of the District. It also contains a provision authorizing an appropriation of \$20,000 for a survey of the tax structure of the District with a report to be made by the Commissioners to Congress not later than January 15, 1938. This amendment also provides that the Commissioners may make such rules and regulations as may be necessary to carry out the provisions of the act, and contains a general separability clause.

The conference action on these amendments fixes the rate of taxation on real and tangible personal property for the fiscal year ending June 30, 1938, at 1.75 percent of the assessed value of the property, eliminates the additional tax on land provided for by amendment no. 29, and authorizes the Commissioners of the District to extend for not to exceed 60 days the time for payment of any installment on taxes payable in September 1937. There are also included the miscellaneous provisions which were contained in amendment no. 31 with a change in the provision relating to the survey of the tax structure of the District authorizing an appropriation of \$5,000 instead of \$20,000, and limiting the use of that amount to the employment of clerical services in connection with such survey.

On amendment no. 30: This amendment includes a new title providing for an income tax for the District and is identical with the provision reported by the House committee on June 11, 1937. There was no corresponding provision in the House bill. The Senate recedes.

On amendment no. 32: This amendment authorizes the Commissioners of the District, in their discretion, to secure and install, at no expense to the District, mechanical parking meters or devices. There was no corresponding provision in the House bill. The Senate recedes.

On amendment no. 33: This amendment provides for an amendment to the antitrust laws under which contracts and agreements stipulating minimum resale prices of certain commodities, and which are similar to contracts and agreements which are lawful as applied to intrastate commerce, are not to be regarded as being illegal under the antitrust laws. The House recedes.

VINCENT L. PALMISANO,
AMBROSE J. KENNEDY,
JACK NICHOLS,
EVERETT M. DIRKSEN,
DEWEY SHORT,

Managers on the part of the House.

Mr. PALMISANO. Mr. Speaker, I feel that the members of the House are familiar with the report, and unless someone wants to ask some questions or wants some time, I shall move the adoption of the conference report.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. PALMISANO. Yes.

Mr. MAPES. Will the gentleman inform the House what was done with the amendment of the Senate providing for an income tax for the District of Columbia?

Mr. PALMISANO. Mr. Speaker, the Senate receded on the income-tax provision. While personally I, together with a number of the members of the committee, felt that the income tax ought to be provided, yet in view of the action of the House on two occasions on that particular question, we had to insist that the Senate recede from its amendment in that respect.

Mr. MAPES. I am sorry that the House conferees took that attitude. I believe the action of the House was taken at a time when the House did not clearly understand what the amendment provided.

Mr. PALMISANO. I agree with the gentleman. I might say that the provision which is substituted for the income tax is for only 1 year, and it may be that next year a better income-tax provision may be worked out, to which the Members of the House will agree.

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield?

Mr. PALMISANO. Yes.

Mr. DIRKSEN. I have never at any time relinquished my position in favor of an income tax until it was impossible to secure the amendment. I thoroughly agree that we have to have an income tax in the District of Columbia, and since this is a 1-year tax bill, I am hoping that as we reconsider the whole tax structure next year, we will come along with an income tax which will be acceptable to the House and the Senate.

Mr. Speaker, this conference report represents the best judgment of the conferees of House and Senate on the very knotty problem of District of Columbia revenues under the handicap of a time limit. I for one do not pretend that it is all that a revenue measure should be. But for the most part, it will only remain in effect for 1 year and it is hoped that a resurvey of this matter will produce a bill next year that will do justice to the District of Columbia and be predicated upon sound and accepted principles of taxation.

As the bill left the House, it contained a title to tighten up the collection of personal property taxes. That provision was retained by the Senate and by the conference committee. The title which the House approved to raise the tax on insurance premiums from 1½ percent to 2 percent was stricken by the Senate and restored in conference. This 2-percent rate places the District in line with more than 20 State jurisdictions which also impose a 2-percent rate. The House also approved an increase in the motor-fuel tax from 1 cent to 2 cents together with an earmarking of the funds for general highway and improvement purposes. This title was not disturbed by the Senate or the conferees. Seemingly the House and Senate were also in agreement on that title which increases the vehicle tax. That tax is but \$1 per vehicle. Under the pending bill, they will be increased from \$5 to \$12 on pleasure cars and from \$15 to \$150 on trucks. The next title, dealing with inheritance and estate taxes, was reported to the House by the subcommittee with a schedule of rates that the committee deemed equitable. These were recast as the result of an amendment on the floor of the House but the Senate restored the rates originally approved by the House subcommittee and these were restored in conference. As the bill left the House, it contained a title imposing a business-privilege tax of three-fifths of 1 percent with an exemption of \$1,000 and with special rates for chain stores. This whole title was stricken by the Senate but restored by the conferees with a rate of two-fifths of 1 percent, an exemption of \$2,000 and the chain-store tax deleted. The House also approved a rate of \$1.70 on real estate in the District of Columbia but this was stricken by the Senate. The Senate supplemented the existing rate by writing into the bill a modified form of the single tax, placing an extra rate of \$1 per hundred of value on land. This would have resulted in a tax rate of \$1.50 on improvements and \$2.50 on land values. In conference, the land tax was stricken and the general real-estate rate set at \$1.75.

The Senate District Committee adopted a kind of sales tax which was styled luxury sales tax. On the Senate floor

this title was stricken and the income tax substituted. This was of real interest to me after two ineffectual attempts to secure House approval of the income tax. In conference the income tax was again stricken.

Sooner or later the Congress will have to adopt an income tax for the District of Columbia. Two-thirds of the States now have such a tax, and every year they are increasing in number. Moreover, States are gradually expanding their income-tax rates to meet their needs. It is a sound tax, based upon ability to pay, and has the virtue of being a direct tax which will make the public tax conscious. In proportion as it does, so it will develop a keener and more attentive interest in the generic problem of government expenditure and government taxation. The District of Columbia is growing every year, and as it grows it requires more and more revenue. Unless the Congress wishes to impose an unbearable burden upon property and continue to resort to indirect and hidden taxes, it must enact an income tax that is all inclusive and will make everybody bear a fair share of the burden in return for the benefits which they enjoy. The average citizen who has sufficient income pays a Federal tax and also a State income tax in those States which now have income-tax laws. It is altogether indefensible that State employees should escape a Federal income tax or that Federal employees should escape a local income tax. Yet such are the exemptions that now inure to some three and one-half million Federal, State, and local employees in this country through a court decision which prevents the States from taxing Federal instrumentalities and which prevents the Federal Government from taxing State instrumentalities. There was a bit of attenuated reasoning in that decision of 1870 on this matter. The theory was advanced that through the taxing power the States could cripple or destroy the Federal Government and, conversely, the Federal Government could destroy, hamstring, and cripple the State governments. The theory is logical enough, but it is of a gossamer texture that nobody would seriously regard as a practical matter. I venture the prophecy that the time is not far distant when the District of Columbia will have an income-tax law.

In the bill as reported by the House subcommittee was a provision authorizing an advance of funds from the Treasury to the District to tide it over the rough spots when it began to appear that the District might be without sufficient revenues. The House deleted that provision but it was restored by Senate action and retained by the conferees.

Finally, the Senate added a new title which contained the substance of the Miller-Tydings bill. There was considerable outspoken talk about the procedure whereby a wholly ungermane rider is attached to a House bill and some insistence that the House conferees stand adamant in demanding its removal from the bill. Conferees can, of course, be adamant, but it must not be forgotten that the technique of the conference committee is to give and take, to compromise and harmonize in order to effect a bill in agreeable form. The difficulty lies not in the derelictions of conferees but in the rule which permits the attaching of ungermane items to House bills in the form of riders. This practice has prevailed for a long time and probably will prevail for a much longer time unless there be an alteration of the rules which make such legislative technique possible.

I do not condone this practice, but I might say that I did favor and do favor the enactment of the Miller-Tydings bill. It resulted from an Illinois case that went to the Supreme Court. The Illinois Legislature had enacted a law prior to 1936 making it possible for the manufacturer of merchandise to set the price at which it must be resold. In other words, it empowered the manufacturer to tell the retailer what he must get as a retail price and if he refused to do so, the manufacturer could refuse to sell him further and also had an action at law. It so happened that the Seagram's Distillers Corporation, located in Indiana, sold some of its products to the Old Dearborn Distributing Co. in Chicago. Evidently, the distiller indicated the price at which the liquors must be sold and when the distributor

refused to abide by such a price, there was a violation and court action. Thus the case found its way to the Supreme Court on a question of constitutionality of the statute. The Court ruled that this was a matter of policy for the States to determine, and thereby upheld the Fair Trade Act of Illinois.

A question then arose as to whether or not the maintenance of such resale prices under a State fair trade act might not be in violation of the Sherman Anti-Trust Act of 1890 insofar as these transactions sprang from a contract in interstate commerce. This question was presented to the House Judiciary Committee and there determined by the reporting of the Miller bill. It was essentially nothing more than an enabling act which placed the stamp of approval upon price maintenance transactions under State acts, notwithstanding the Sherman Act of 1890. The bill was reported to the House and was ready for action but for some unknown reason it was withdrawn and began to gather dust. Then came the District revenue bill and this Tydings-Miller bill was attached as a rider. It was slightly modified from its original text by a proviso which I am informed was acceptable to the Attorney General and acceptable to the authors. I, for one, trust that it will be approved by the Senate and by the President because it will be of immense importance to the retailers, the wholesalers, and the manufacturers of the country.

Thus, while the conferees were perfecting a revenue measure for the Nation's capital, they were also, by a quirk in the rules, enacting one of the most important pieces of general legislation that has come before this session of Congress. Such are the vagaries of human and legislative destiny.

Mr. MAPES. Mr. Speaker, will the gentleman yield further on another matter?

Mr. PALMISANO. Yes.

Mr. MAPES. I notice there is a provision adopted in the Senate authorizing the appropriation of \$20,000 for a study and survey of the entire tax structure of the District of Columbia.

Mr. PALMISANO. Mr. Speaker, that was cut to \$5,000 and it just permits them to have a couple of extra clerks in order to get this new tax bill in shape. It is really for extra work to cost \$5,000.

Mr. MAPES. Of course, the gentleman knows there have been a great many surveys and studies made of the tax situation in the District.

Mr. PALMISANO. This is not to be a survey.

Mr. MAPES. Does the gentleman think anything will be accomplished by this appropriation?

Mr. PALMISANO. We cut down the \$20,000. There was an appropriation for \$20,000, and we reduced it to \$5,000 for extra clerk hire.

Mr. MAPES. I commend the gentleman for saving at least \$15,000 of the \$20,000.

Mr. KENNEDY of Maryland. Will the gentleman yield?

Mr. MAPES. I yield.

Mr. KENNEDY of Maryland. I wish to say to the gentleman from Michigan that we cut that proposal from \$20,000 to \$5,000, and it is our belief that already there have been too many surveys made in the District of Columbia. With this additional personnel I believe they can compile all the data that are necessary. I do not believe it will cost as much as \$5,000.

Mr. MAPES. May I ask the question further—I notice the Senate amendment contained a provision which seems to have crept into so much legislation in the last few years, as follows:

Such sums shall be available for expenditure for personal services without regard to the civil-service laws or the Classification Act of 1923, as amended.

Was that provision retained in the conference report?

Mr. PALMISANO. I think it was.

Mr. DIRKSEN. If the gentleman will yield, that was changed. They are amenable to civil service.

Mr. MAPES. They are?

Mr. PALMISANO. I am informed that was changed.

Mr. MAPES. I congratulate the gentleman on that accomplishment.

Mr. CULKIN. Mr. Speaker, will the gentleman yield?

Mr. PALMISANO. I yield.

Mr. CULKIN. I am interested in amendment no. 33, which has to do with the Miller-Tydings bill. Can the gentleman tell me whether that amendment, in its general scope, contains the provisions of the Miller-Tydings bill?

Mr. PALMISANO. I understand so.

Mr. CULKIN. The action of the conferees is satisfactory to the gentleman from Arkansas, the author of the bill in the House?

Mr. PALMISANO. I understand it is.

Mr. MILLER. Yes.

Mr. CULKIN. I think the bill is sound legislation and should be on the books.

Mr. Speaker, this legislation carries into effect one of the principles of the Kelly-Capper Act. It does it through the medium of fair-trade acts passed by the State legislatures. It is perhaps sounder in principle than the Kelly-Capper Act, in that it applies the basic principle of that legislation through the medium of home rule. Having supported the Kelly-Capper Act and urged its passage, I am even more vigorously for this measure. I wish to congratulate the learned proponent of the bill, our distinguished colleague from Arkansas [Mr. MILLER], upon bringing this bill to the floor.

This bill will aid the independent merchant, the efficient independent retailer, and protect them from predatory price cutting by chain outfits. But the independent must not be lulled into the belief that legislative enactment alone will save him, for his case depends even more largely upon his own initiative, industry, and energy. His present precarious situation is due to the tremendous economic waste in distribution. This is aggravated to a more serious extent by his failure to so organize his group that he is able to participate in mass buying and mass distribution the way the chain organizations do. Former President Hoover is quoted as saying that no less than \$8,000,000,000 is lost annually through inefficient marketing. A large portion of this loss is due to the present procedure in retail business circles. In my judgment, the time is now ripe for the independent retailer and wholesaler to mass their buying powers through cooperative procedure and successfully meet the chain store by bringing about reduced prices.

It is stated that about 4,000,000 men are engaged in the retailing business in America and that 3,000,000 of these are independents. The force of numbers and buying power is therefore still in the hands of the independents, and they can hold the fort by the application of mass buying and mass distribution. Such procedure would eliminate the tremendous waste that now handicaps the local retailer and would put him economically on all fours with the chain. The independent retailer, furnishing as he does a delivery and credit system which appeals to many groups, provided he sets up in addition the machinery of cooperative buying, has nothing to fear.

THE AMERICAN RETAILER

Here in America the retail merchant was a potent influence in the political field during the Revolutionary period. The first retailers were the traders who pioneered the woods before the settlements came. In the development of America, past and present, the independent retailer has had a tremendous social and political part. In community life everywhere they are the backbone of church and other local organizations. The retail merchant largely supports the local hospitals, the fraternal organizations, service and social clubs, and all other charitable activities. The solicitor for such various and worth-while activities as the Boy Scouts, Red Cross, Young Men's Christian Association, and the other activities that stand for community betterment makes the store of the retail merchant his first port of call. Incidentally, a worthy cause is never rejected by the community-minded retailer. But let the selfsame solicitor visit the chain store. Its managing clerk tells him that he has

no authority in the premises and he will have to communicate with the headquarters of the chain 1,000 or 2,000 miles away. The local merchant educates his children in the professions, arts, and sciences, and from this blood we recruit much of our leadership today. He is an outstanding influence not only for civic but for political betterment. He is invariably a useful and constructive citizen. He is frequently called into the public service and acts on the school board or in other municipal activities without pay.

Nor is this the only service of the merchant to community life. There are also certain of the humanities in the picture. Take the case of John Smith, who is taken ill. He has a wife and five small children depending on him for support. The family income stops and he desires credit from the retailer pending his return to health and employment. Based on his record of honesty and payment the merchant extends the credit and John Smith is tided over his adverse days. Financial help is frequently extended by the local retailer to his customers who are in temporary monetary distress. Chain stores are impersonal and no such accommodation is possible there. In many other ways does the local retailer, in direct and indirect matters, serve the community. The local retailer is perhaps a director in the local bank or building association and gives freely of his time in the upbuilding of the community. His profits are invested locally or on deposit in the local bank.

CHAINS WILL DESTROY COMMUNITY LIFE

On the other hand, the receipts of the chain store remains in the town overnight and then are sent on to some distant city. This procedure is draining the communities dry by the withdrawal of profits from circulation. This is one of the most pernicious results of the outside chain. In a recent article on Efforts of Chain Operations on Community Welfare, Lt. Gov. Henry A. Huber, of the State of Wisconsin, states:

Community life is being robbed of its profits and its industries. Chain stores, chain oil stations, chain drug stores, chain insurance companies, and mail-order houses are taking the profits of the storekeeper and the farmer and the businessman of Wisconsin and distributing outside of the State.

Blind, indeed, is he who cannot decipher these fundamental economic facts. A mere reading of them should convince any person that it is time Wisconsin awoke and protected its own people, its own industries, its own businessmen, and its own profits. It is time that the links of the chain shackle were broken.

EFFECTS ON LABOR

The chain store is equally disastrous in its effect on industrial wages. The chain-store buyer goes to the manufacturer of a standard article and makes him a proposition to take a large portion of his output at a low figure. This is the basis upon which the chain store works; namely, to purchase in mass and distribute in mass. He drives a hard bargain with the manufacturer, and the manufacturer like all mortals thinks of himself first and passes on the decrease in the price to his workmen. This is not a psychological proposition, but an actual fact. As I have heretofore stated, copyrighted and standardized articles which the chain or department stores frequently use as bait, mirror in their low prices a reduced wage to the industrial worker. As the buying power of the chains increases they will more and more vigorously dictate prices to the manufacturer. Failing this, they will build a plant alongside of him and engage in manufacturing the particular articles themselves. In either case it will result in a reduced wage to the industrial group and a consequent reduction in comforts and clothes and food and education for his children. Of what avail will the nominal saving which the industrial worker now makes in the chain stores be to him under such circumstances?

This measure complements existing State law and will make legal what was condemned by the Supreme Court in 1910 in the case of *Dr. Miles Medicine Co. v. Parks & Sons Co.* (220 U. S. Rep. 373). The report of the proponent of the bill, Mr. MILLER, calls attention to the opinion of Judge Sutherland, upholding the constitutionality of the Illinois Price Fixing Act. The House will be interested to

know that such price-fixing acts supplemented by this legislation will write into law the minority opinion of Mr. Justice Holmes, filed in the Miles case. Mr. Justice Holmes' language in this dissenting opinion was vigorous and incisive, and the principle laid down in his dissenting opinion is the genesis of this pending measure. Mr. Justice Holmes stated:

I cannot believe that in the long run the public will profit by this Court permitting knaves to cut reasonable prices for some ulterior purpose of their own and thus to impair, if not to destroy, the production and sale of articles which it is assumed to be desirable that the public should be able to get.

We lately hear a good deal about the minority opinion becoming the majority opinion of the Court. This has been the history of our jurisprudence in matters involving social progress and broader definitions of human rights. It has been especially true of the remarkable forensic foresight which has characterized the notable dissents of the late Justice Holmes. In the pending measure is an evidence that these historic dissents amount almost to prophecy of what is certain to finally become the law. In saying this I voice no disrespect or criticism of the majority of the Court but desire to emphasize the psychic ability of this extraordinary man, now passed away, to peer into the future and forecast the social and economic needs of the Nation. At the time the Kelly-Capper bill was pending in 1930, I had the temerity to write to Judge Holmes and send him a copy of my speech. You can imagine my delight when, a few days later, I received an autographic letter from him, which I ask permission to read to the House:

BEVERLY FARMS, MASS.,
June 17, 1930.

HON. FRANCIS D. CULKIN,
House of Representatives,
Washington, D. C.

MY DEAR SIR: Please accept my thanks for your kind letter and very interesting speech. Of course I am gratified by the generous expressions concerning myself. I do not feel competent to express an opinion upon what if any legislation is desirable, although I see no reason to change that expressed in the Dr. Miles Medicine Co. case.

Very truly yours,

O. W. HOLMES.

My opinion in 1930 was that the principle of this legislation was sound and meritorious. My opinion was that the legislation was in the interest of the manufacturer and laborer working in industry. My opinion was that this legislation would be an aid to the efficient independent retailer who was playing an important part in community life in America. I stated then that this legislation in nowise would foster monopoly. I have not changed my mind on any of these conclusions. I am vigorously for this legislation and trust the House and Senate will write it into law.

Mr. O'CONNELL of Montana. Mr. Speaker, will the gentleman yield?

Mr. PALMISANO. I yield.

Mr. O'CONNELL of Montana. Is there any provision to prohibit picketing in the District of Columbia in this bill?

Mr. PALMISANO. No.

MILLER-TYDINGS FAIR TRADE ACT

Mr. McLAUGHLIN. The adoption of the conference report now before the House will result in the enactment of the Miller-Tydings bill. That bill, H. R. 1611, has been acted on favorably by the Committee on the Judiciary and by the Rules Committee.

In these remarks I shall refer to the Miller-Tydings amendment, which is included in the conference report, as H. R. 1611.

House bill 1611 is known as the Fair Trade Enabling Act because it is an act which enables fair-trade legislation passed by individual State legislatures to become effective and to be fully operative within the respective States. It is not legislation which puts into effect a new national policy originating in Congress. Rather it is legislation which helps the States to put into effect a policy originating within the States themselves. It constitutes a method through which States are enabled to enforce their laws through the coop-

eration of the Federal Government. It lends to the States the assistance of national legislation making effective fair-trade practice acts passed in the State legislatures.

Lengthy and exhaustive hearings on this proposed law were conducted before subcommittee no. III of the Committee on the Judiciary, of which subcommittee, Mr. MILLER, the introducer of the bill is chairman and upon which subcommittee I have the honor to serve. Many witnesses for and against the bill were heard. Briefs and printed statements in support of the bill and in opposition to it were filed and made a part of the printed record of the hearings. Oral arguments were made upon the bill pro and con. The subcommittee considered the testimony. After long study and discussion I was commissioned to report the bill favorably to the full Committee on the Judiciary, and it was so reported. The full committee held executive sessions on the bill and the Chairman and General Counsel of the Federal Trade Commission accepted the committee's invitation to attend one of these meetings and to discuss the bill with the committee. Finally the Judiciary Committee voted unanimously to report the bill to the House with approval. Objections to parts of the bill were made by one member of the committee. These objections will be answered later in these remarks. A hearing was had on the bill before the Rules Committee and the committee passed a resolution for a rule. The bill has passed through the conventional course of procedure and the standing committee who have thoroughly considered it recommend to the House that it be enacted into law, in order that the fair-trade practice acts passed by so many of the States of the Union may become vital laws, fully operative and capable of performing the great service which they are designed to perform.

The State laws cannot function completely and satisfactorily without the enactment by Congress of a fair-trade enabling act.

Forty-two States of the Union have enacted fair-trade legislation. These States are California, Arizona, Wyoming, Iowa, Louisiana, Illinois, Kentucky, West Virginia, Maryland, New York, North Carolina, Oregon, Maine, Connecticut, Rhode Island, New Mexico, Utah, Idaho, Washington, Montana, South Dakota, Kansas, Arkansas, Wisconsin, Minnesota, South Carolina, Michigan, Florida, Oklahoma, Ohio, Tennessee, Virginia, Pennsylvania, New Jersey, North Dakota, Georgia, Colorado, Indiana, Nevada, Nebraska, Massachusetts, and New Hampshire.

The State acts are substantially identical. They were enacted by the individual State legislatures and represent the wishes of the people of the respective States. The wisdom and soundness of the legislation has been passed upon by 42 State legislative bodies. H. R. 1611 will in effect confirm and ratify the judgment of the State legislatures which have passed State fair-trade practice acts.

What is a State fair-trade practice act and what is its purpose? A State fair-trade practice act is a legislative act which provides that contracts for the resale of a commodity which bears, or the label or container of which bears, the trade-mark, brand, or name of the producer or distributor of such commodity and which is in free and open competition with commodities of the same general class produced or distributed by others, are valid contracts where the parties thereto agree therein that the buyer will not sell the article below the minimum price stated in the contract. The act applies only to articles or commodities which are in free and open competition with other articles or commodities of the same general class.

In other words, a State fair-trade practice act is an act which allows a seller of a trade-marked or identified commodity and the purchaser of such commodity to agree that the purchaser of that commodity shall not sell the commodity at less than the price agreed upon between the buyer and the seller where the commodity is one which is in open competition with commodities of similar character. The State fair-trade practice acts in the respective States practically uniformly provide that any retailer selling a trade-marked commodity which comes within the provisions of the act,

knowing that the owner of the commodity has provided by contract that the article shall not be sold at less than a certain price, is bound by that contract although he may not be a party to it, and is liable for the penalties set up in the act against those who sell the trade-marked article at a price less than the price named as the selling price by the owner. So much for the definition and description of a State fair-trade practice act. Now, as to the purpose and effect.

The purpose of the State fair-trade practice acts is to eliminate an evil which has resulted in untold hardship to the small merchant and the independent merchant seeking to conduct a business in a fair, honorable, and reasonable way. The evil to which I refer is the evil of price cutting and this evil normally manifests itself in the practice known as the loss leader. The loss-leader practice is the practice of the advertising and selling of well-known, reputable, trade-marked articles of merchandise for which a demand has been created, at a price less than the cost price of the article to the retailer. It is obvious that the sale of an article by a merchant at less than its cost to him is an unprofitable sale in itself. It has all the earmarks of the Greek bearing gifts. Its purpose is not to give the customer something for nothing but on the contrary is intended to get something from the customer by creating in the customer's mind the belief that he is getting something for less than its real and actual cost. Wherever the loss-leader practice is made use of the loss on the individual article sold below cost is made up by the increased price of other articles. Thus the customer is lured into the store of the loss-leader retailer by the belief that he will be able to buy goods cheap, only to find that the goods, other than the loss leaders, are purchased at a price sufficiently high to make up for the loss taken by the merchant in the sale of the loss leader. The loss-leader practice is a form of unfair competition which was exposed by witnesses before the committee and which has been condemned by legitimate trade associations as an outstanding evil in the retail merchandising.

The effects of the State acts may be judged by the experience in California, and this experience is being duplicated, so far as can be determined at this time, in the States which have since enacted fair-trade laws except that the full operation of the laws is handicapped by the provisions of the existing Federal statutes which H. R. 1611 is designed to correct.

The experiences under the California and other State fair-trade acts show that the level of prices for the products coming under their provisions has not advanced and the indications are that they will be reduced as floor levels are established. The cost of living has not increased following the enactment of these laws, and, so far, there has been no consumer resistance, as is shown by the fact that the legislatures of about 25 States have adopted the laws since January 1 of this year and after public hearings on the merits of the legislation.

Having examined the State fair-trade practice acts, let us consider the bill before Congress.

What is the fair-trade practice enabling act now pending before us, and how does it operate?

H. R. 1611, known as the Miller-Tydings Fair Trade Practice Enabling Act, is simple in its mechanics. It is a recognition of the sovereign rights of the individual States, respectively, to govern themselves in matters of commerce within their respective State borders. The act merely amends the existing Federal law—the Sherman Act—so as to provide that goods shipped from one State to another may be subject to the fair-trade practice act of the State into which the goods are shipped and that the contracts covering the resale of such goods in accordance with that State law are valid contracts.

H. R. 1611 is in no sense a price-fixing statute. No prices are fixed by the act. It is entirely a permissive act. It merely allows the seller and buyer of trade-marked or identified goods, sold in free open competition with similar goods,

to contract for resale of goods according to the State law, if they want to do so. It does not compel the buyer and seller to enter into the contract but only authorizes them to do so if they so desire. It removes the existing barrier which now prevents the free execution of such contracts.

It is to be particularly noted that the act makes valid, as to goods flowing in interstate commerce, only those contracts in which the goods included therein are sold in open competition with other goods of similar character. Thus the act is in no sense a measure which will sanction contracts creating monopolies or combinations in restraint of trade. The provisions of the Sherman Act specifically prohibiting such contracts are not changed by this act but continue to remain in force. The act does not legalize contracts to maintain prices between manufacturers or sellers of different trade-marked articles of the same class or character. It only authorizes or permits contracts between the seller and the buyer, regarding resale price, as to a particular article, and then only provided that article is in free and open competition with articles of a similar character produced or distributed by others, and further provided only that the contract is authorized under the laws of the State in which it is to be carried out. The act, as amended in the Senate, and as now before the House in the conference report, specifically provides that the act shall not make lawful any contract or agreement providing for establishment or maintenance of minimum resale prices on any commodity covered by the act, between manufacturers, or between producers, or between wholesalers, or between brokers, or between factors, or between retailers, or between persons, firms, or corporations in competition with each other. As an example, the act would not allow two manufacturers of similar trade-marked articles, as, for instance, articles of food or drugs or clothing or soap or fountain pens, or any other competing articles of similar kind, to agree between themselves as to the price at which their respective articles shall be sold. The act does not alter the provisions nor the effect of the Sherman Act as to such contracts. In other words, it simply authorizes contracts, permitted by the States, between the seller and buyer of one article—contracts known as vertical contracts. It does not permit contracts between seller and seller of different articles—contracts known as horizontal contracts. The latter contracts, if violative of the Sherman Act now, will still be violative of that act if H. R. 1611 becomes a law.

State fair-trade practice acts have been declared constitutional and valid by a number of the courts of last resort of the States. Notable among these cases is the case of *Old Dearborn* against *Seagram*, in the State of Illinois, later upheld by the Supreme Court of the United States, to which case I shall presently refer more particularly, and the recent case of *Doubleday, Doran Co.* against *R. H. Macy & Co.*, in the State of New York—Two hundred and Seventy-third New York Reports, page 167.

The Supreme Court of the United States, in the case of *Old Dearborn Distributing Co. v. Seagram Distillers Corporation* (299 U. S. 178), decided on December 7, 1936, held that the State Fair Trade Practice Act of the State of Illinois was constitutional and valid. The United States Supreme Court, in its decision of that case, made a statement with reference to the wisdom of the State acts which is pertinent to the discussion of this bill in Congress today. The Supreme Court of the United States examined the constitutionality of the State statute and declared that the statute was constitutional. It was argued before the Court that the legislature of the State should not have enacted the law because it was an unwise law. The Supreme Court of the United States in handing down its opinion said:

There is a great body of fact and opinion tending to show that price cutting by retail dealers is not only injurious to the goodwill and business of the producer and distributor of identified goods but injurious to the general public as well. The evidence to that effect is voluminous, but it would serve no useful purpose to review the evidence or to enlarge further upon this subject. True, there is evidence, opinion, and argument to the contrary; but it does not concern us to determine where the weight lies.

We need say no more than that the question may be regarded as fairly open to differences of opinion. The legislation here in question proceeds upon the former and not the latter view; and the legislative determination in that respect, in the circumstances here disclosed, is conclusive so far as this Court is concerned. Where the question of what the facts establish is a fairly debatable one, we accept and carry into effect the opinion of the legislature (*Radice v. New York*, 264 U. S. 292, 294; *Zahn v. Board of Public Works*, 274 U. S. 325, 328; and cases cited).

The same situation exists here today. The legislatures of 42 States of this Union have solemnly declared that in the exercise of their wisdom and judgment they desire that certain contracts be made valid within their State borders. We are today discussing a law which, if enacted, will enable those States to carry out the wishes of their respective people as expressed by their legislative acts. The wisdom of the respective State acts has been passed upon by 42 individual legislatures.

The unicameral Legislature of my own State of Nebraska enacted a State fair-trade practice act by an almost unanimous vote. In voting for H. R. 1611 we are voting to permit these States to enforce their own fair-trade laws—to carry out their express desire. If we vote against it, we vote to prevent the State laws from operating effectively. Although 42 States have passed fair-trade acts governing contracts for the sale of trade-marked or identified goods within their respective State borders, these State statutes cannot function fully and freely and satisfactorily unless we pass this act. There exists grave doubt whether goods transported from an outside State into a State having a fair-trade act can be legally made the subject of the type of contract permitted by the State act. The enactment of this bill (H. R. 1611) would so amend the existing Federal law—the Sherman Act—as to allow these goods shipped in interstate commerce legally to become the subject of a State fair-trade contract. The enactment of this bill into law will remove the only existing barrier to the complete functioning of the State fair-trade acts in those States which have passed such acts.

Are we going to deny these States their rights? Surely not. Are we going to say to 42 of our sovereign States which have passed a fair trade practice act—and every one of the 48 States will eventually pass the act—are we going to say to the States, "You want an effective fair-trade act, but we will not let you have it?" That is what we will say in effect if we do not enact this legislation. Rather, shall we say to the States, "A barrier exists which prevents you from receiving the full benefit of your own fair-trade law within your own State borders. It lies in our power to remove that barrier. We will remove it. We recognize your right to govern yourself. We will cooperate with you to that legitimate end." H. R. 1611, which we have under discussion today, would remove that barrier and thus enable the States to have the benefit of the legislation which they have enacted for their own welfare.

In the hearings before the committee and in the debates upon the bill in the committee itself, it was suggested that there are two points which may be considered in the nature of objections to the bill. The committee discussed these points and considered that they did not constitute valid objections. However, in order to present the matter fully to the House, these objections should be referred to. These objections are:

First. That H. R. 1611, if enacted, would impose a penalty upon a seller of merchandise for selling such merchandise below the minimum price agreed upon in a contract to which he is not a party.

Second. Objection is made that no allowance is made in the contract of resale authorized by the respective State laws for difference in cost of doing business between different individual businesses, and that a resale price which might be fair to one concern might not be fair resale price to another concern because of the difference in the overhead or the cost of doing business existing between the two firms.

The objections were overruled by the committee after a consideration of the testimony bearing upon them and after full discussion of the objections.

The first objection, namely, that H. R. 1611, if enacted, will permit resale contracts to be binding upon parties other than

the parties to the contract itself, is fully answered by the statement that the respective State laws make provision that the contract shall be binding upon all those who sell the trade-marked article which is the subject of the resale contract whenever the person selling the article below the contract resale price does so willfully and knowingly. This argument is well answered by the controlling opinion of the Supreme Court of the United States in the case of *Old Dearborn* against *Seagram*, supra, upholding the validity and constitutionality of the Illinois State Fair Trade Practice Act, where the Court says:

A challenge is directed against section 2, which provides that willfully and knowingly advertising, offering for sale or selling any commodity at less than the price stipulated in any contract made under section 1, whether the person doing so is or is not a party to the contract, shall constitute unfair competition, giving rise to a right of action in favor of anyone damaged thereby.

It is first to be observed that paragraph 2 reaches not the mere advertising, offering for sale or selling at less than the stipulated price, but the doing of any of these things willfully and knowingly. We are not called upon to determine the case of one who has made his purchase in ignorance of the contractual restriction upon the selling price, but of a purchaser who has had definite information respecting such contractual restriction and who, with such knowledge, nevertheless proceeds willfully to resell in disregard of it.

Appellants here acquired the commodity in question with full knowledge of the then-existing restriction in respect of price which the producer and wholesale dealer had imposed, and, of course, with presumptive if not actual knowledge of the law which authorized the restriction. Appellants were not obliged to buy; and their voluntary acquisition of the property with such knowledge carried with it, upon every principle of fair dealing, assent to the protective restriction, with consequent liability under paragraph 2 of the law by which such acquisition was contained.

Further complete answer to this objection is that the respective States in the exercise of their wisdom and judgment imposed the penalties provided in the respective State acts. The bill before us today, if enacted, merely makes effective the law which has been enacted by the respective State legislatures to govern transactions within their own borders.

The second objection that no allowance has been made for difference in cost of doing business between different firms engaged in sale of trade-marked articles which are subject to price resale contracts, is again answered by the statement that no such allowance is set forth in the State acts and that the bill which we have before us for consideration merely makes effective the State acts and does not attempt to legislate substantively on the subject of resale price maintenance. However, this question was considered so seriously by the committee that members of the Federal Trade Commission were called into the conference by the committee in executive session and after a full discussion and consideration of the question the committee accepted the conclusions expressed by the representative of the Federal Trade Commission. They pointed out that the plan of attempting through the Federal Trade Commission, or through any other body, of fixing a specific resale price for each merchant for each commodity upon which resale contracts have been entered into, would be a task so gigantic and stupendous as to be an utter impossibility. The opponents of this bill urge as their strongest objection the claim that this is a price-fixing bill. This claim is untrue. However, the very ones who oppose this bill as a price-fixing measure bring forth a suggestion that the bill be so amended as to require price fixing of commodities in every case in which a State authorized price resale contract is entered into. The full and complete answer to this, as in the case of the first objection, is that the State acts authorize the price resale contracts in which it is agreed between the manufacturer, the producer, and the seller that the commodity shall be sold at a price agreed upon between the parties to the contract. H. R. 1611 merely makes possible the full and complete operation of these State acts.

In conclusion, I repeat that the purpose of H. R. 1611 is merely to allow the people of the respective States to carry out a public policy which they have determined for themselves. It removes an existing Federal barrier which prevents the operation of State laws within the borders of the

States which have enacted these laws. It merely validates contracts operative within the respective States as to goods transported into those States in interstate commerce. The States have enacted their fair-trade practice laws for the benefit of the producer, the distributor, and the consumer, and for the protection and continuance in business of the independent merchant.

The States in which the acts have operated are satisfied with them. The other States which have recently enacted them based their enactment upon the beneficial results shown in the States where they have been in operation. However, State fair-trade practice acts have never had an opportunity to function fully, and they never will operate with complete effectiveness, nor produce the full benefit which they are capable of producing until the removal of the existing Federal barrier by the passage of the Miller-Tydings Fair Trade Practice Act, H. R. 1611. That act is now before us as an amendment to the conference report under consideration.

Forty-two States of the Union today look to the House of Representatives to pass this law which will remove the barrier now standing in the way of the full and complete operation of the respective State fair-trade practice acts.

Mr. PALMISANO. Mr. Speaker, I move the adoption of the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent in connection with the conference report on the District of Columbia tax bill to extend my own remarks at that point in the RECORD.

The SPEAKER. Did the gentleman make some remarks in the House?

Mr. DIRKSEN. Just briefly; yes, sir.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MILLARD. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a communication from a prominent constituent.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. BLAND for today on account of official business.

BRIDGES ON FEDERAL-AID HIGHWAYS

Mr. HOBBS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7373) to aid the several States in making, or for having made, certain toll bridges on the system of Federal-aid highways free bridges, and for other purposes.

The Clerk read the title of the bill.

Mr. MAPES. Mr. Speaker, reserving the right to object, will the gentleman from Alabama tell us what committee reported this bill?

Mr. HOBBS. It comes with a unanimous report from the Committee on Roads. I may say to the gentleman from Michigan that some days ago I took the matter up with the gentleman from Massachusetts [Mr. MARTIN] and gave him a copy of last year's report of the committee containing an approving letter of the Secretary of Agriculture. This bill was passed last year after the favorable and unanimous report of the Roads Committee of the House. The bill passed both branches of Congress last year, but was vetoed by the President because:

The effect of this bill would be to divert funds appropriated for carrying forward our system of Federal-aid highways through the construction of new roads and new bridges to the payment of one-half of the construction cost of bridges already built.

This objection, quoted from the memorandum of disapproval, has been eliminated. The Department of Agriculture has written an approving letter stating that the Bureau of the Budget had advised that this legislation would not be in conflict with the program of the President. So we are asking of you today simply a reenactment of substantially the same bill that was passed last year.

The pending measure affects no State whatsoever except those which have freed toll bridges at their own expense, without any Federal aid. It could not cut down any allotment of Federal-aid road funds to any other State.

Mr. MAPES. Is the gentleman from Alabama a member of the Committee on Roads?

Mr. HOBBS. No, sir; I am not; but the able and honored chairman of that committee filed their report recommending that the bill, as amended, be passed, and he and many of the members of that fine committee are here pulling for the speedy passage of this bill.

Mr. MAPES. Do the member of the Committee on Roads know that this bill is being called up now?

Mr. HOBBS. Yes, sir; they reported it unanimously and several of the distinguished members of that great committee are now on the floor of the House.

Mr. MAPES. I think it very poor practice to bring up matters in this way on special calendar days when the Members generally have the right to expect that only calendar business will be transacted.

Mr. HOBBS. I may say to the gentleman from Michigan that I spoke to the acting minority leader some days ago and gave him a copy of last year's report.

Mr. MAPES. There are 435 Members of the House, and they have the right to feel that special matters will not be called up under unanimous consent on a Private Calendar Day.

Mr. HOBBS. The gentleman from Michigan, for whose opinion I have the highest regard, is correct as a general proposition. This would not have been done in this instance had it not been for the fact that the same identical bill, to all practical intents and purposes, was passed by both Houses of Congress last year.

Mr. MAPES. I do not think the gentleman himself would favor this practice generally.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. HOBBS. Yes, sir.

Mr. RICH. What is the purpose of the bill. As I understand, it is a road bill, but will the gentleman state its purpose?

Mr. HOBBS. Under the act of March 3, 1927, Congress authorized the Secretary of Agriculture to allocate to any State a Federal contribution of 50 percent of the cost of any bridge that might be built under its provisions. Very few States took advantage of the provisions of the act of March 3, 1927. Many States did not even know it had been passed. As I understand it, only 11 States have defrayed all of the cost of toll-bridge construction or acquisition and qualified themselves to receive the benefits proposed in this bill.

This bill provides that not one cent shall be made available by the Secretary of Agriculture until his engineers have approved the construction and quality of every bridge claiming money under this authority.

The bill provides that where any State had the right to a Federal contribution of 50 percent of the cost of the bridge, exclusive of all charges in connection with financing, exclusive of all rights-of-way, property damages, and things of that kind—just the actual, honest-to-goodness cost of the bridge itself—if of standard quality and approved by the engineers of the Bureau of Public Roads, then, I repeat, where the State could have obtained it, but did not, and now has freed that bridge from toll charges, so that it is open to the public traveling these Federal-aid highways, the same allocation may be made now that could have been made then.

Mr. RICH. There are 14 States interested in this?

Mr. HOBBS. Eleven.

Mr. RICH. Where are they located?

Mr. HOBBS. They are scattered all over the Union. One State is Alabama, which is very vitally interested in this matter. Another State is West Virginia, another Kentucky, and I think the State of Pennsylvania has a bridge or two that may come under it. There are, I believe, 11 States in all, but I am not advised accurately.

Mr. RICH. Is this going to be applicable to any bridge to be built in the future; that is, the highway department will pay 50 percent of the cost of the bridge?

Mr. HOBBS. The bill applies only to those bridges that have been completed since March 3, 1927—the date of the passage of the act to which I referred—and which have been freed or will be made free between now and July 1, 1938.

Mr. RICH. We come in here with a lot of legislation and everything seems to be based on an effort to get money out of the Federal Treasury. If we pass this bill, how many more bridges are going to be constructed and can the gentleman tell me where the Federal Treasury is going to get the money to pay for them?

Mr. HOBBS. I am glad to. There can be very few, if any, constructed under our policy now, because it is diametrically opposed to the thought of the Bureau of Roads and of this Congress to permit the construction of additional toll bridges on Federal-aid highways. The passage of this bill will not take one dime out of the Federal Treasury that has not already been appropriated. It simply makes available, in the discretion of the Secretary of Agriculture, money that has already been appropriated for this very purpose.

Mr. RICH. Already where?

Mr. HOBBS. In the Federal Treasury.

Mr. RICH. The Federal Treasury has not any money. It is threadbare now. The bottom is out of the barrel. The bung hole is open and the top is off. The whole thing is wrecked. The gentleman states he is going to get it out of the Federal Treasury, but that is a ridiculous statement. Let me give him a Federal Treasury statement. Let him look at the Federal Treasury statement and show me where they have any money that is in there and not appropriated. If so, I would be willing to go along with all these bills; but you are breaking the Federal Treasury, and it is time to stop.

Mr. HOBBS. I appreciate the suggestion of the distinguished gentleman from Pennsylvania. I may say to him that if his contention were correct, then no harm can come to the American people by virtue of the passage of this bill, since it would prove fruitless. [Laughter.] We will assume the risk of getting the money, however, and we thank the gentleman in anticipation of his support of this pending bill, since I have relieved him of his anxiety about where the money is coming from. [Laughter.]

Mr. ROBSION of Kentucky. Mr. Speaker, reserving the right to object, if I understand the bill correctly, the act of March 3, 1927, provides that the States may take advantage of that law and get a 50-percent contribution to the cost of a bridge?

Mr. HOBBS. Yes, sir; that is right, substantially.

Mr. ROBSION of Kentucky. Some 14 States have built bridges. This bill gives them the right now to take advantage of that law, provided the Secretary of Agriculture and the Director of the Bureau of Roads agree to do so?

Mr. HOBBS. Yes, sir; that is right.

Mr. ROBSION of Kentucky. But that comes out of the road funds that have already been allocated to the States through appropriations already made by the Congress?

Mr. HOBBS. Yes, sir; out of Federal-aid road funds.

Mr. ROBSION of Kentucky. Would the gentleman indicate, if he can, how much money this would involve in the 11 or 14 States affected?

Mr. HOBBS. There again, sir; I can only refer you to the response of the Secretary of Agriculture under date of May 28, 1936, to the letter of the chairman of the committee, in which he states: "There are not many States where

this condition exists and there are not a great many such toll bridges, nor would the amount of Federal funds involved be large. No new appropriation would be involved."

Mr. ROBSION of Kentucky. Other States did take advantage of it?

Mr. HOBBS. Yes, sir.

Mr. ROBSION of Kentucky. And received the money?

Mr. HOBBS. Yes, sir. The 11 to benefit hereunder are the ones that through poverty, or inadvertence, or for some other reason, did not take advantage of the 1927 act.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. HOBBS]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the case of any State which, prior to the date of approval of this act, shall have constructed and shall have, or have had in operation any toll bridges on the approved system of Federal-aid highways within such State and which has caused or shall, prior to July 1, 1938, cause, any such toll bridge, or toll bridges, to be made free, the Secretary of Agriculture shall be, and he is hereby, authorized to pay out of the Federal-aid road funds apportioned to the State not to exceed 50 percent of such amount as may be approved by the Secretary of Agriculture as the reasonable construction cost of any such toll bridge: *Provided*, That no payment of Federal funds shall be made on account of any such bridge which was not constructed in accordance with plans and specifications which would meet the standards required by the Secretary of Agriculture at the time such bridge was constructed, nor on account of any bridge the construction of which was commenced or completed prior to March 3, 1927: *And provided further*, That no such payment shall be made which will exceed 50 percent of the reasonable cost of the labor and materials which were actually incorporated in the construction of such bridge, excluding all costs of rights-of-way, property damages, and financing costs, and any amount so paid on account of any such bridge shall be used by the highway department of such State for matching unobligated Federal-aid road funds available to the State for expenditure in the improvement of highways on the system of Federal-aid highways.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That in the case of each and every State, or political subdivision or subdivisions thereof, which, prior to the date of approval of this act, shall have constructed or acquired any toll bridges on the approved system of Federal-aid highways, and which has caused or shall, prior to July 1, 1938, cause any such toll bridge, or toll bridges, to be made free, the Secretary of Agriculture shall be, and he is hereby, authorized to pay out of the Federal-aid road funds apportioned to such State not to exceed 50 percent of such amount as may be approved by the Secretary of Agriculture as the reasonable value or construction cost of any such bridge, whichever shall be least: *Provided*, That no payment of Federal funds shall be made on account of any such bridge which was not constructed in accordance with plans and specifications which would meet the standards required by the Secretary of Agriculture at the time such bridge was constructed, nor on account of any bridge the construction of which was completed prior to March 3, 1927: *And provided further*, That no such payment shall be made which will exceed 50 percent of the reasonable value or cost of the labor and materials which were actually incorporated in the construction of such bridge, excluding all costs of rights-of-way, property damages, and financing costs, whichever, value or cost, shall be least, and any amount so paid on account of any such bridge shall be used by the highway department of such State for matching unobligated Federal-aid road funds available to the State, for expenditure in the improvement of highways on the system of Federal-aid highways."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. Under the previous order of the House, the gentleman from Missouri [Mr. CANNON] is recognized for 15 minutes. Is the gentleman from Missouri [Mr. CANNON] present?

Under a previous special order, the gentleman from New York [Mr. DICKSTEIN] is recognized for 15 minutes.

UN-AMERICAN ACTIVITIES

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a number of names of people whom I designate as alien agitators, spies, and propagandists in the United States. Most of these people are aliens.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I hope the Members of the House will bear with me. As I have stated before, I think we are reaching a serious condition in this country. I have no malice toward any person or individual who is an American and who loves his country and his Constitution. My whole aim in addressing the House today is to call particular attention to some matters which I think the Members of the House and the country ought to know.

A week ago I stated I had the names of an additional hundred men, but that I was not going to mention their names, and I am not going to do so because these people ought to be subpoenaed and put under oath. If a subpoena is authorized by this House, I think we can once and for all clean up this situation with respect to all the "isms" in the United States and at the same time prepare some laws which will give us a better opportunity to know what we are trying to legislate.

In the present chaotic conditions in the United States we will be charged with trying to curb the rights of free speech, free press, and free assembly, whatever law we may try to pass. It is humanly impossible to present any proper legislation on this subject without having taken the testimony under oath under a proper subpoena of certain agitators, most of whom are of foreign origin, who seek to substitute their form of government for the Constitution of the United States. It is impossible to pass the necessary laws when you know millions of dollars are being brought into this country by various groups to spread un-American propaganda. It is impossible to present any such law to the loyal American people, in all honesty and in all fairness, without a thorough study by a committee. As I stated some time ago, I do not care of whom the committee is composed. The Speaker can close his eyes and appoint seven Members at random, and still the documents I shall turn over to the committee will startle the country.

It has been asked on this floor, "Well, why do you not present some laws?" I was happy to see one measure passed yesterday to register with the Department of State all agents who represent foreign governments. This was a bill introduced by my former chairman, the gentleman from Massachusetts [Mr. McCormack]. It is a step in the right direction, and should be followed up with a proper study and investigation by a committee. The public in every section of the country have offered assistance so far as money is concerned if money is necessary to find out what is going on in this country.

Oh, I have had people in this House tell me I have been exaggerating a lot. I hope you have changed your minds since the last statement which was made 2 or 3 months ago.

Let us get down to cases. I speak to you now because I feel that as Americans and as Members of this body you ought to know exactly what is happening in this country. We are just sitting idly by and saying nothing. In the State of New Jersey today is the worst hotbed of Nazis and Fascists that you and I could ever dream of. Yes; I have their names. I know what they are trying to do. I would like to follow up this matter with a subpoena, because certain people have certain documents which, if we can have them produced, will show sabotage against the United States of America. I have heard Members of Congress in the last week say, "Well, whom do you have in my district? What are their names?" Mr. Speaker, I have covered at least half of the United States in telling these Members whom they have in their districts, and who the agitators are.

Let me cite a telegram which has just come in, and this is very authentic.

MILWAUKEE, WIS.—Milwaukee's chapter of Nazi German-American Volkshund to hold a Nazi day in the Washington Bowl at Kenosha, Wis., on August 8.

These people are going to open at this place a camp called Camp Hindenburg, and this will be a Nazi camp in the State

of Wisconsin, 20 miles north of Milwaukee. Groups from Chicago are coming, as well as groups from South Bend, Ind. The leader has directed all Nazis from South Bend, Milwaukee, and Chicago to make sure that they are at the camp in time and in their uniforms, and that they do the necessary dirty work in swearing allegiance to Hitler.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I will yield in just a minute.

When I addressed the House on Monday, July 26, I named a man called William Peterson, alias William Mueller, alias Ernst Imhoff. This man is a member of the Nazi groups. He has cheated the German people in this country out of over \$400,000 by going to the German groups in this country and telling them the German Government needs money. In that way in a few years he has fleeced honest-to-goodness American people out of their money for bonds which are not worth the paper they are written on. This man, of Aryan stock, who has been condemning the Catholics, the Jews, and the Masons in speeches he has made all over the country, has robbed the American people of almost \$400,000. I have his criminal record and his photograph here and also his print from the police department of the city of New York.

Mr. LUCAS. Mr. Speaker, will the gentleman yield for a question?

Mr. DICKSTEIN. I yield to the gentleman from Illinois.

Mr. LUCAS. Do I understand that the type of man to whom the gentleman is now referring is the type of which the leaders in this Nazi movement are composed?

Mr. DICKSTEIN. He is one of the leaders in this group.

Mr. LUCAS. Does the gentleman think this type of leader will be able to get very far with any kind of an organization, in view of what the gentleman has said about him?

Mr. DICKSTEIN. No, I agree with the gentleman thoroughly. I am simply calling attention to what is going on. They have a racket here. Some of these men have come in here and they participate in the leadership of this German Bund, this alien system of espionage. They are taking advantage of their presence in this country and more or less boycotting American people into buying this worthless paper, and they are getting from these people millions of dollars and fleeing with them. I am not basing this argument on the fact he can get very far in this transaction, but I am calling the attention of the House to what is really happening in this country.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. O'MALLEY. I did not hear the gentleman mention the name of the party who sent him the telegram about this big Nazi camp they are going to have near Milwaukee.

Mr. DICKSTEIN. If the gentleman will excuse me, I do not feel like putting that in the Record.

Mr. O'MALLEY. I may say to the gentleman that during the course of his argument he has mentioned and insinuated that there are a lot of people around Milwaukee—

Mr. DICKSTEIN. Oh, no.

Mr. O'MALLEY. Who are Nazis and are going to have a Nazi camp. I would like to know the name of the man who sent the telegram, because I want to say to the gentleman that I occasionally go back to Milwaukee, in spite of the length of this session, and in the first place, I may say, I have never heard of the place where this camp is supposed to be established, and I have heard nothing about the camp.

I want to say one thing more. In Wisconsin we have managed to have little or no agitation and no marches and no picketing and no espionage and no foreigners, Germans or others, are going to organize our people, and we also do not need any help from New York City in telling us how to keep these fellows out of Wisconsin. [Laughter.]

Mr. DICKSTEIN. The gentleman made a very fine speech and I enjoyed it myself.

Mr. O'MALLEY. And I also want to say to the gentleman that when he reads a telegram like the one he referred to here, he ought to put the name of the party who sent it in the Record, because anybody can send a telegram.

Mr. DICKSTEIN. I am not here for criticism by the gentleman or anybody else.

Mr. O'MALLEY. I am not criticizing the gentleman.

Mr. DICKSTEIN. I want to be addressed properly, and the gentleman has addressed me and asked me a question.

Mr. O'MALLEY. I ask the gentleman for the name of the party who sent the telegram.

Mr. DICKSTEIN. And I have politely told the gentleman that I do not propose at this time to give the name, but I wish to assure the gentleman from Wisconsin that what I have told him is a fact, that a new camp is being baptized on the 8th of August.

Mr. O'MALLEY. What kind of camp?

Mr. DICKSTEIN. A Nazi alien camp, to spread more propaganda against the Government of the United States and its people.

Mr. O'MALLEY. Does the gentleman know that from his own information or from that telegram?

Mr. DICKSTEIN. I have some other files on that question.

Mr. O'MALLEY. A camp of aliens?

Mr. DICKSTEIN. Yes; and in conclusion, I shall be pleased to have the gentleman come over to my office and I will give him the name, and I will give him all the information I have.

Mr. O'MALLEY. When the gentleman reads a telegram and purports to tell the House that something is a fact, the gentleman should give the name of the man who sent it.

Mr. DICKSTEIN. I think the gentleman is a little unreasonable when he asks me to disclose the name of the writer among his own people, who is giving me some information.

Mr. O'MALLEY. I see.

Mr. DICKSTEIN. I do not think it is fair.

Mr. O'MALLEY. Then it is all mysterious and cannot be disclosed.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. RICH. I will say to the gentleman that I think he is doing a splendid service, coming from New York and being in a position to know about these things, when he gives this information to us, and if there are any such men in my State I want to know about it, and I shall be pleased to help the gentleman from New York, and I believe if the gentleman continues the service which he is trying to render, we will be pleased to support him in every possible way.

Mr. O'MALLEY. I want to say that the only way I could find out that this is going on would be to find out the name of the gentleman who sent the telegram, so I could verify it.

Mr. DICKSTEIN. I think this is a job for all of us. This is not a one-man job, and I am not seeking credit for it as a one-man job. I have stated before, and will repeat, that the doors of my office, as well as my files, are open, and I am willing to consult and convince my worst opponent with respect to this resolution or this investigation, and I will give him exhibit no. 1, which I have here, and I defy the gentleman, after looking at these exhibits—look at them now, if you do not mind.

Mr. O'MALLEY. I may say to the gentleman that I do not mind looking at them, and I have looked at them.

Mr. DICKSTEIN. You have not seen them at all.

Mr. O'MALLEY. But I would like to verify the fact that this is going on all over the United States, as the gentleman states, because I would like to help him do something about it.

Mr. DICKSTEIN. If the gentleman wants to help me, please cooperate, and there is no use of criticizing.

Mr. O'MALLEY. I am not criticizing the gentleman, but I would like to get the source of his information.

Mr. DICKSTEIN. I will be pleased to help you in every way I can.

Mr. O'MALLEY. All the gentleman has to do to help me is to give me the name of the party who knows about it.

Mr. DICKSTEIN. I told the gentleman a moment ago that I would be pleased to give it to him in confidence.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. McCORMACK. Some months ago some people doubted the gentleman's statement about camps being in existence. Everything since that time has confirmed what the gentleman stated.

Mr. DICKSTEIN. I thank the gentleman from Massachusetts.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended for 10 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. STEFAN. I have been listening to many of the speeches made by the distinguished gentleman on this particular subject. In the gentleman's files does he have any evidence of the fact that these people are spreading propaganda against the United States Government?

Mr. DICKSTEIN. Yes.

Mr. STEFAN. Why does not the gentleman carry out his duty as a citizen of the United States and turn that evidence over to the State Department or the Department of Justice?

Mr. McCORMACK. Mr. Speaker, will the gentleman yield at that point?

Mr. DICKSTEIN. Yes.

Mr. McCORMACK. The answer to that question is very simple. The Department of Justice will not investigate anything unless a law of the Federal Government has been violated, and that is only natural.

Mr. STEFAN. But the gentleman claims that the law has been violated.

Mr. McCORMACK. Oh, no. There can be subversive activity without a violation of a law, and the Department of Justice has no authority to make an investigation unless it is alleged that there has been a violation of a Federal law.

Mr. STEFAN. What are these subversive activities?

Mr. McCORMACK. Take, for instance, communism. They cannot investigate communistic activities, because the only law on the Federal statute books is one respecting conspiracy, where two or more people conspire to do or not to do certain unlawful acts. One has first to establish a conspiracy, and, second, show an overt act. The only law on the statute books is one in respect to conspiracy, and the Department of Justice will not investigate communistic activities in this country, because it is practically impossible to show a conspiracy. This law is for all practical purposes dead.

Mr. STEFAN. Is there any evidence that the gentleman has in his possession which shows that any of these organizations are plotting to overthrow our Government?

Mr. DICKSTEIN. There is definite evidence that by their actions they are seeking to array one American against another American. They come directly within the statement made by the gentleman from Massachusetts [Mr. McCORMACK] when he spoke about the new religion that has been created in Germany and which the National Socialist Party is trying to spread in this country. There is evidence also that they are seeking, and more or less demanding, that all Germans in this country join this movement in backing up the German Government for the purpose of carrying out the principles mentioned in the book *Mein Kampf*, a Hitler publication which has been spread around here by Hitler and his agents, and there is so much evidence that I have not a large enough staff to open the mail for information, and I am behind in opening mail almost 2 weeks—mail from Americans giving me definite information, and I have checked up part of it and find that everything they tell me is true. By their talk and by their action they are bound to create trouble from within; and God forbid, if

we should ever be dragged into any war, that we should have to fight enemies from within.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. RICH. In this Nazi camp in New Jersey, what is the attitude of the people forming a camp of that kind within one of our own States, and what is their object in doing that, and whom do they salute and hail as their chief?

Mr. DICKSTEIN. I am really glad that the gentleman asked me that question, and I hope the gentleman will give me more time, for that is the first definite question that I have been asked to answer.

Mr. RICH. I think the gentleman ought to have all the time that he needs.

Mr. DICKSTEIN. Mr. Speaker, in the first place in respect to this Nazi camp the gentleman is talking about, that is 1 of the 21 camps—and there will be 22 this month—about a year ago Hitler and Goering called upon all Germans wherever they are to fill out a war-draft questionnaire, and they were ordered, whether born in this country or not, to report to the labor camp in Germany for 1 year's training. Some people could not get away, and so they concocted the scheme to build camps in this country, to give every man an opportunity who is in sympathy with this madman of Germany to join these camps and do the necessary, which is drilling, goose-stepping, and the like, and sort of putting himself in position where he is ready to go out and shed more blood in this world. Some of these people are citizens of the United States and some of them are aliens. Of course, they are no more citizens of the United States than I am of Turkey, because they claim a dual nationality. These men are brought to this camp and they have to take an oath of allegiance and the oath of allegiance is to the fuhrer, which means the ruler, Fritz Kuhn, who is now in this country—and by the way he was elected for 4 years more, and there is going to be 4 years more of this program of agitation in this country; and then you must pledge allegiance to Hitler. I have definite proof of documentary evidence that says that they are bound to Germany, that their duty is to Germany, and that "we must not forget that we are American citizens at the same time." That is definite. Two weeks ago in that camp there were 15,000 people. You could not get within 5 miles of that camp. The police were helpless, because the Nazi storm troops were handling traffic.

In that parade 2 weeks ago there were almost 1,000 men in uniform, and they joined with the Black Shirts, who are organized in this country. There were 500 Black Shirts, and all the Black Shirts were hailing Mr. Hitler and the Hitlerites were hailing Mussolini, and there was not a thing said about the United States except a few speeches of criticism, when they told us, "Well, the President of the United States, he just comes and goes; but Mr. Hitler, we waited for him for 2,000 years." Yes, we waited for him for 2,000 years to create more trouble, not only amongst our American people, decent German 100-percent Americans, but against all other races of Americans in the United States, by arraying one against the other with the most vicious kind of propaganda.

I wish you gentlemen could come in and see some of that stuff. It would make you sick at the stomach to read it. That is smuggled in—tons and tons of it every day.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. McCORMACK. The gentleman spoke of Fritz Kuhn having stated that he believes in the idea and ideals of national German socialism, which is nazi-ism, and at the same time the ideals of American democracy. How can anybody believe in the ideals of nazi-ism, which is destructive of free speech, freedom of religion, destructive of everything which constitutes personal liberty, and at the same time believe in the ideals for which our country stands?

Mr. DICKSTEIN. That is the very point I have been trying to bring to the attention of this Congress. This very

man, Fritz Kuhn, was decorated about 4 months ago by Mr. Hitler for the good and dirty work he has performed in this country by organizing a group that started with 75 people in 1933, and which today constitutes a strong army of 350,000. How can I get the records without a subpoena?

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. RICH. Who furnished these camps with these uniforms? Does the gentleman have any knowledge of that?

Mr. DICKSTEIN. I need a subpoena for that, but I have my suspicions that if I had a subpoena—and it does not require much money—I could definitely go to two or three banks and show you that the money came in from the other side and that the camps were bought with foreign money; that this whole movement is financed and well financed by the Minister of Propaganda in Germany, and millions of dollars were spent in this country for that purpose.

The SPEAKER pro tempore. The time of the gentleman from New York has again expired.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to proceed for 6 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, a week ago Thursday I mentioned a man by the name of Emil Ebner. Ebner is in charge of the youth camp as well as the adult camp in New Jersey. He is also in charge of the children. They have hundreds of little children clicking their heels and pledging allegiance every day. I showed you a picture outside that camp, and if anybody can find an American flag there I will buy you a suit of clothes with a silk hat. I showed you a picture of another camp, documentary evidence, and if you find an American flag there I will buy you anything you want me to buy you. There is not an American flag in any of these camps. The only time they have an American flag is when they go out on a parade, outside their own camp, to protect themselves, so that they can holler "America, I love you."

This man I have exposed was convicted in 1935 of a moral charge. This man was convicted on March 26, 1935—Newark, N. J.—of immorality with a colored woman, whose name I do not care to mention.

This Aryan, an alien, is in charge of little children between the ages 4 and 6, and you are sitting back here saying, "Oh, it can't happen here", and you sit down and do nothing.

I call upon this House. I call upon the American people. I call upon the Speaker of this House and the Rules Committee. They will have to account for it, because if I had time I have a list of more criminals that I could put into the Record; men who have been convicted of immorality, and in charge of these camps. Then we have propaganda by these very men attacking the Catholics, attacking my race, attacking the Masons, and every other race in the world, and we are sitting back here saying, "Well, it can't happen here."

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. LUCAS. If the gentleman's statements are true, in that criminals of the worst type are in control of these various camps, I again ask the gentleman whether he feels there is very serious danger of a movement of that kind ever having any vital effect upon the people of this country?

Mr. DICKSTEIN. I would say yes, when you go back to the final analysis. If we had a subpoena, we could show you that millions of dollars are coming in here for that purpose. When we show you that men and women are coming in here under the guise of diplomats, who are nothing but out and out propagandists, with instructions to do certain things which are inimical to our form of government, if we can show you that those kind of people are mixing in with our populace and are preaching something that is

not for the best interest of this country, I say they ought to be exposed and we ought to rid this country of them at the earliest possible moment.

Mr. McCORMACK. The gentleman from Illinois asked a question because he seeks information. I might say to my friend that personally I have no fear of any ultimate success in the overthrow of our Government, but the fact is that these movements should be exposed to the pitiless light of American public opinion. Who, 17 years ago when we first heard about the Ku Klux Klan, did anything but laugh at this vicious movement; and yet, overnight, it came upon the American public as a menace, and it came very near putting a President into the White House. It was only by exposing to the American public the interests and purposes of that movement that we were able to bring about its disintegration and removal as a menace to our domestic welfare.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield? Mr. DICKSTEIN. I yield.

Mr. O'MALLEY. If the gentleman has all the facts that he says he has, why does he not write remedial legislation so that we can pass laws that will stop these things?

Mr. DICKSTEIN. The gentleman has asked a fair question. I am trying to do it, but I find that I have not all the facts. I would like to know how many millions of dollars are being shipped into this country, and who is shipping the money in.

Mr. O'MALLEY. What difference would it make whether he knows there was \$10 or \$10,000,000 shipped in, if he has the facts upon which to write a bill?

Mr. DICKSTEIN. I know lots of things to my own satisfaction, but I am not going to appeal to my friends and say that I know definitely and positively about it unless I have definite and positive proof, unless I have subpoenaed many people and established my case to the satisfaction of every Member of Congress and to the American people. [Here the gavel fell.]

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 5 additional minutes, and I shall expect him to yield to me for a question.

Mr. McCORMACK. Mr. Speaker, the gentleman is making a very powerful exposition and the Members are interested. I ask unanimous consent that the gentleman's time may be extended for 10 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. KNUTSON. Has the gentleman laid his information before the proper officials of this administration or the Government; and if so, whom?

Mr. DICKSTEIN. The gentleman was not with me on the last issue, but I am glad he is now interested enough to ask me that question. We have, during the course of time, taken matters up with the Department of Justice; and, as was so ably explained by the gentleman from Massachusetts, the Department of Justice has not the power to subpoena or compel information from banks unless some Federal law has been violated. The Department of Justice is composed of the finest body of men in the world, capable men, and the director of this Department is a splendid man, who I know is in sympathy with this situation, but the Congress has given him no right to go into all these questions.

Mr. KNUTSON. Did the Department of Justice tell the gentleman that they were powerless to meet the situation the gentleman is exposing?

Mr. DICKSTEIN. They did not.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. McCORMACK. The gentleman has asked a question, and I shall give him a frank answer based on information in my possession. When the Special Committee on Un-American Activities was functioning, of which commit-

tee I was chairman, the Department of Justice had no authority even to assign any of their special agents to help us. They cooperate in every way they possibly can, but they are powerless to act unless it is alleged that a Federal law has been violated or there is Federal legislation that will permit them to investigate these activities.

Mr. KNUTSON. It would seem to me a very simple matter to bring in a bill prohibiting subversive measures, policies, or programs from being carried on.

Mr. McCORMACK. We passed a bill yesterday that will go a long way in this direction, and I say this not because I am the author of the bill, but it would require that all foreign political propagandists in this country, or any person who is a citizen of this country employed by any foreign State, political party, or corporation for political propaganda herein to register with the Secretary of State. If this becomes a law, the Department of Justice will then have legislation upon the statute books that will permit an investigation to be made. The greatest influence of all toward breaking up such things is the powerful voice of public opinion. In a democracy public opinion is the source of all power; and in the final analysis it is the greatest power that can be employed to break up subversive activities and movements.

Mr. DICKSTEIN. I want to conclude my statement by saying, in addition to what the gentleman from Massachusetts has stated, that there is a certain oath of allegiance that these men in this country have been taking. If I could definitely establish that is the oath by order of Chancellor Hitler or by order of anybody, if I could have that definitely established, and I have a copy of the oath in the German language and they tell me that is the oath, but I have no proof of it, I could cancel the citizenship of thousands of so-called Americans who are holding a dual nationality.

Mr. KNUTSON. Speaking of oaths, I recall a Member of this House before we got into the World War charging that a certain fraternal organization had an oath that was entirely un-American. It later developed it was without foundation, but he got up before this House and stated he had positive evidence of it. When he was called upon to produce it, he fell flatter than a pancake.

Mr. DICKSTEIN. I can give the gentleman the oath in a few minutes. If he will read the Record of the 25th he will find the oath there. But I have no definite proof establishing that is the oath that this foreign government compels these Nazis or American National Party members to take. I know they take it. I just put a picture on the bulletin board out there showing 300 men taking that oath, but I cannot prove that is the oath that comes from the German Government. It is an oath of allegiance to the leadership of the German Government regardless of the fact one may be a citizen of the United States.

Mr. KNUTSON. The gentleman has been publishing the names of a number of alleged leaders of the alleged Nazi movement in this country. Did the gentleman get those names out of the Brown Net?

Mr. DICKSTEIN. No. The names I got, I agree with the gentleman, included names in the Brown Network. I have a number of names from the Brown Network which correspond with my files, but I give them the credit for it. The list I put in on Thursday no one has, and the list I am putting in today no one has, because it took us almost a year and a half by voluntary investigation, made by a number of American citizens who have not received one dollar of compensation, to secure this information.

Mr. KNUTSON. The Washington Post of Monday, on page 8, contains this paragraph:

Representative SAMUEL DICKSTEIN made all the front pages last week by revealing to Congress a list of Nazi spies in America * * * It may be pure coincidence, of course, but DICKSTEIN's list is almost a copy of the appendix to the Brown Net, published by Knight 4 years ago. That list is contained in pages 300 to 303.

Mr. DICKSTEIN. May I say in answer to the gentleman's question, and I do not want a misunderstanding, on

the 8th of March 1933, Hitler forced himself upon the German people and became Chancellor. I have been watching him every day, because I was in Germany in 1932 and I saw what was going on. I had the names before the Brown Book, the Blue Book, or any other book had them, because we all watched him. We knew what was going on in Germany. In 1932 even they had armies walking through the streets, while there was no Nazi Party and Von Hindenburg was President, but these armies were developing right then within the German Government.

Mr. KNUTSON. The gentleman says he has had this information since 1932, yet he has waited all this time before making it public.

Mr. DICKSTEIN. It was made public by the last committee.

Mr. MICHENER. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Michigan.

Mr. MICHENER. I want to make an observation that was possibly a bit more pertinent earlier in the discussion than now. There have been many charges made in this country about foreign activities. For instance, there came to our desk 2 or 3 weeks ago a letter, signed by someone from California, purporting to be a copy of a letter addressed to the President, to which no reply had been received. In that letter it was stated that Mr. Lewis, of the C. I. O., had received \$750,000 from Moscow. Wanting to get at the facts and not the publicity, I took the matter up immediately by letter with the Department of Justice. That was at least 3 weeks ago. I stated the facts and sent a copy of the letter, and asked the Department if they had any information. I stated I was not giving this to the press but was looking for information, and that I would appreciate the facts. They immediately wrote back that they had no such information as charged in the quotation and that they knew nothing about the matter. So some of these things might possibly be investigated before we give publicity.

Mr. DICKSTEIN. I may say to the gentleman, in answer to his question, that I have not brought out one name on this floor nor have I made any statement on this floor on any question dealing with nazism and communism—and you know how much love I have for them—without having the matter checked and rechecked to satisfy myself, as any reasonable man would, that my answer to this whole situation is the correct one.

Mr. HOFFMAN. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Michigan.

Mr. HOFFMAN. In part answer to the gentleman from Michigan [Mr. MICHENER], with reference to the statement he just made, we all received that printed letter and apparently the statement that the checks were in possession of the Department of Justice was an error of the Associated Press. The checks were supposed to be in possession of the International Association of Machinists and the charge was made by E. H. Dowell, district organizer of the American Federation of Labor. As has been suggested, when charges are made affecting the welfare of our Government and are of such a serious nature as that, why should we not learn whether they are true or false, and I understood that to be the gentleman's object.

Mr. MICHENER. That is what I tried to do.

Mr. MARTIN of Colorado. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Colorado.

Mr. MARTIN of Colorado. I want to ask the gentleman if he knows the authorship of the letter that was sent to Members of Congress threatening them with death if they supported the President's Supreme Court reorganization?

Mr. DICKSTEIN. I wish I knew.

Mr. MARTIN of Colorado. The gentleman does not suppose that was a Nazi or a Fascist organization, does he?

Mr. DICKSTEIN. I want the gentleman to draw that conclusion. If I stated what is in your mind, and I know

what is in your mind, and I know what you are talking about, and if I answered the question, the gentleman would say that I was trying to build up another case, that I was trying to scare somebody.

Mr. MARTIN of Colorado. I think the organization originated probably a little closer to home than Germany, Italy, or Russia.

Mr. McGROARTY. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from California.

Mr. McGROARTY. As I understand the gentleman, he is helpless because he has not the power of subpoena. Is that so?

Mr. DICKSTEIN. Yes.

Mr. McGROARTY. Has anything been done in the House to give you or your committee or any committee the power of subpoena?

Mr. DICKSTEIN. There is a resolution now before the Committee on Rules, introduced by our distinguished colleague, the gentleman from Texas [Mr. DIES]. The gentleman has rather modified his resolution, after having completely withdrawn it, and has given the matter some study. I can state to the House that I am willing to support the gentleman's resolution, or any other resolution, whether it is from this side or that side.

Mr. McGROARTY. We do not seem to be getting anywhere.

Mr. DICKSTEIN. The Committee on Rules can settle that question.

[Here the gavel fell.]

Mr. LUCAS. Mr. Speaker, I ask unanimous consent that the gentleman from New York may proceed for an additional seven minutes.

Mr. MAPES. Mr. Speaker, reserving the right to object, the gentleman's time has been extended 2 or 3 times already. How much more time does the gentleman want?

Mr. DICKSTEIN. I want only 5 minutes.

Mr. HOFFMAN. If the gentleman will yield, it is not a question of how much the gentleman wants, but how long we want to hear him. I for one want to hear the gentleman unless there is some other business. Of course, if we have business of more importance, we should proceed to its consideration.

Mr. MAPES. Does the gentleman think he will get any additional information?

Mr. HOFFMAN. Yes; I still think I am capable of receiving information, and I think the gentleman is capable of giving it.

Mr. DICKSTEIN. Does the gentleman think the gentleman is capable of giving information?

Mr. HOFFMAN. I certainly do; yes.

Mr. DICKSTEIN. I thank the gentleman.

Mr. HOFFMAN. Being a Member of this body, I supposed the certificate of election was some evidence of it, anyway.

Mr. DICKSTEIN. That is the assumption, anyhow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Illinois.

Mr. LUCAS. Am I correct in my understanding that what the gentleman would like to do is have the Speaker of the House appoint a select committee for the purpose of making a complete investigation of nazi-ism in this country?

Mr. DICKSTEIN. All isms.

Mr. LUCAS. Everything but Americanism?

Mr. DICKSTEIN. That is the point. That is all I am asking.

Mr. LUCAS. Will the gentleman explain to the House just how broad a field that would cover?

Mr. DICKSTEIN. I may say the resolution I sponsored, which was laid on the table by the House on the 8th of April—and I am not quarreling with that action at this time—was a little too broad. The resolution now before the House deals with un-American activities.

Mr. LUCAS. The gentleman's trend of thought in all of his speeches I have heard, however, deals chiefly with the Nazis.

Mr. DICKSTEIN. No.

Mr. LUCAS. Then I have not heard all of the gentleman's speeches.

Mr. DICKSTEIN. Then the gentleman should read them, and he will probably get some pretty good information.

Mr. LUCAS. I shall read them and shall probably learn something, because I know the gentleman is very much interested in this question. However, what the gentleman is chiefly attempting to do, as I gather from the speech the gentleman has made today, is to destroy nazi-ism in this country.

Mr. DICKSTEIN. All "isms."

Mr. LUCAS. All right; all "isms", including nazi-ism.

Mr. DICKSTEIN. Yes.

Mr. LUCAS. Does the gentleman believe that if there is anything good in nazi-ism—and I, for one, do not believe there is—an investigation, regardless of how broad a field it may cover, will destroy it?

Mr. DICKSTEIN. There is nothing good in foreign uniforms, foreign boots, foreign ideologies, foreign goose-steps, foreign allegiance, foreign speeches, and making martyrs out of foreign dictators who are trying to drag this whole world into a war.

Mr. LUCAS. Our distinguished colleague the gentleman from Massachusetts [Mr. McCORMACK], states that we ought to turn the pitiless light of publicity upon this particular movement, and he cited the destruction of the Klan as an illustration. My observation upon matters of this kind is that if there is anything worth while in the Ku-Klux Klan or in nazi-ism or in any other "ism", which I deny, such movements will live in this country, regardless of how much publicity is turned upon them. I contend that what the gentleman is doing here is simply furthering the interests of the Nazis by attempting to publicize them throughout the country with this kind of an investigation. They will not get to first base in America, and you can just bet your life on that, regardless of what the gentleman or anybody else may do. I think the gentleman is unduly alarmed.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. In just a moment. I want to answer the gentleman from Illinois, and then I will yield to the gentleman from Massachusetts.

The evidence so far seems to disagree with the gentleman completely. His own State is infested with isms. His own State has camps in it. His own State has alien boots and boots and boots, and goose steps and more goose steps. Nazis are all goosey down there. [Laughter.]

Mr. McCORMACK. If the gentleman will permit, I may say to my friend, the gentleman from Illinois [Mr. Lucas], that special investigating committees have done a great deal of good. The La Follette committee showed what is going on in Harlan County, Ky., and if it did nothing more than that it has rendered a great service to the American people. We had the Townsend investigating committee. Why was that committee created? The gentleman from Illinois was a member of it.

Mr. DICKSTEIN. That is different.

Mr. McCORMACK. The House created that special committee for some purpose. If we follow the reasoning of the gentleman, there was no necessity for the creation of that committee. We should have said, "Let Townsend proceed with his campaign, and not have the committee formed to acquaint the American public with the story of that movement."

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I do not have the floor.

Mr. LUCAS. May I answer the gentleman from Massachusetts by saying that the comparison is not analogous, and furthermore I was not responsible for the investigation of Townsend. I merely performed my duty as a member appointed on the select committee.

Mr. SACKS. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Pennsylvania.

Mr. SACKS. May I call the attention of the gentleman from Illinois to the fact that in a democracy the only way to get the people to understand "isms" of any kind is to throw light upon them and give them publicity, and they will fall of their own weight.

Mr. DICKSTEIN. It is again my duty to call the attention of this House to the seriousness of the situation which is the result of the unchecked and unbridled propagandists and other activities by Nazis in this country.

Within the past two weeks more than 90 German youths, both boys and girls, as well as 18 teachers came to this country, apparently for a vacation. Now, this vacation is spent by having these boys and girls as well as the teachers stay as guests 1 week at a time at the various locals of the German-American Bund, the official Nazi organ in this country, and spending 1 week on a sightseeing tour of the United States. These boys and girls are chosen from the most intelligent groups in Germany, and are given for distribution quantities of propaganda material, with instructions how best to employ it in the best interests of their masters.

One of the purposes of this activity is to inculcate among young German men and women the consciousness of the fact that they are Germans first, and in an emergency should go back to Germany to defend their country with arms, if necessary. They are under the leadership of Dr. Wilhelm, a professor in the political department of the University of Frankfurt in Germany. They are also being guided by a Dr. Degener, who is the attorney for the German-American Chamber of Commerce in New York, and who is employed, or under a retainer with the General Dye Stuff Corporation of America, which is a branch of the I. G. Dye Trust in Germany.

The male members of the party are at the present time staying at the Young Men's Christian Association at Sixty-third Street and Central Park West, New York City, while the girls are distributed in private homes in and around the city of New York.

Of the other leaders of the group, Dr. Hans Sass, who was formerly the local leader of the bund in Trenton, but who apparently changes his name to Van Narre, is the educational director of the Young Men's Christian Association, West Side Branch. He is apparently responsible for the young men being placed in that institution, and while they are staying there speeches are being made daily in support of Nazi doctrines and anti-Semitism. The other young men and women, who are now being distributed around and making visits to German camps, have occasion to hear from Edwin Emerson, the American gentleman whom I listed a few days ago as one of the Nazi propagandists in the United States. The printing for this propaganda is done by Grof & Breuninger Press, of Philadelphia, Pa.

I have before me also an appeal for German youths to join the German summer camps asking that applications be sent to Theodore Dinkelacker at 9239 Lamont Avenue, Elmhurst, Long Island.

The proclamation of the so-called youth leaders calls upon young boys and girls to join the camps with this stipulation:

We accept into our camps boys and girls of German parentage 8 years of age and over. They must oblige themselves, in case they do not happen to be members of the A. V., to become members of that organization before they can join the camp.

A. V. is an abbreviation of America-Deutsche Volksbund, the German abbreviation of the so-called "bund", the Nazi organ in this country.

Information also reached me to the effect that a lively traffic of smuggling aliens is in progress around Hoboken, N. J. It seems that one Gustav Elmer, a laundry salesman of Hoboken, N. J., is conducting such a traffic with the aid and assistance of the so-called Bernstein Line, which took over the Red Star Line, and now sails under the swastika flag. This line is being used to smuggle aliens, in violation of our immigration laws, and of course the smugglers know better than I how they do it and what means they employ

to circumvent our immigration laws. I suppose the usual method would be to ship the men as sailors and have them lose themselves when the ship docks in port. The large German liners apparently are easily supervised but the small line is able to escape attention on the part of our immigration officials.

I have before me some correspondence between Franz Schulze, who was formerly an attorney in Chicago and now is an attaché of the German Embassy and a contact man between the Nazi bund and Washington. This man wrote a letter to Fritz Gissibl, whom I have previously mentioned as the leader of the Friends of New Germany, as to how to go about getting incorporation papers for German organizations and how to obtain local charters in the various States of the Union.

Another name which I would like to bring to the attention of the House at this time is Frank Sonnenschein, of 634 South Eleventh Street, Newark, N. J., one of the lieutenants of the Nazi Party in this vicinity and an active organizer for Camp Nordland. I have definite information that this man is in this country illegally, although he is a member of the National Guard of New Jersey and otherwise extremely active in the public life of the State.

Following is a further list of citizens and aliens who are spreading un-American propaganda throughout our country. They are prominent members of the bund in the State of New Jersey.

Mr. Max Koenig, treasurer of the Hudson County local, born in the United States, has not worked for the past 4 years, yet is always able to spend freely, a good speaker, violently anti-Semitic, and an advocate of fascism in the United States, a frequent contributor to a Chicago anti-Semitic weekly (American Gentile).

Martin Spaeth, a W. P. A. foreman, who directs the uniformed group of the bund in Hudson County.

Werner Jueterowsky, voting representative for the local on national matters, former Communist Party member in Germany, but not a converted Nazi; not a citizen.

Gustav Flach, new leader of the Trenton local, not a citizen, owner of a refreshment stand, is the representative of propaganda films for the State of New Jersey; while his children run the stand, he travels from local to local showing these films, which are furnished by the German consulate.

Waldemar Othmer, director of the Trenton Y. M. C. A., a good lecturer, who has a complete list of alien speakers that come to the United States. He was secretary and treasurer of Trenton local in 1936.

John Fitting, pastor of the Presbyterian Church in Trenton, speaker and lecturer of the bund, who tried to support Hauptmann at the trial. Is the composer of pamphlets for the defense of Hauptmann, violently anti-Semitic; deserted wife and two girls.

Willie Luedtke, D. K. V. director for New York and New Jersey, and also leader of the Passaic County local, a citizen, member of the New Jersey National Guard.

Walter Luedtke, brother of Willie, owner of a shooting range in Passaic, where the uniformed members practice with guard-owned rifles, practice every night. Range at 527 (or 529) Passaic Avenue, Passaic.

Bruno Trix, press agent for the New Jersey district, not a citizen, very intelligent, writer of propaganda material and also a reporter for the West Beobachter in Hanover, Germany.

Kurt Schumacher, American born, Secretary for the Passaic local, a good speaker with connection in the ranks of the Veterans of Foreign Wars.

Eduard Mathias, treasurer of the Passaic local, a citizen, who gets a monthly allowance by the General Dye Stuff Corporation of America, apparently because of his activities in the Du Pont works, where he is employed.

At this time I wish to present for publication in the RECORD a list of firms dealing in German securities without a permit either from the State or from the Securities Exchange Commission. These firms sell securities mostly to people of German extraction, and I dare say securities

of a type which will be frowned upon by the authorities if the truth were known.

Bull & Co., 40 Exchange Place, New York City; F. R. Lushes & Co., 50 Broadway, New York City; Kurt Schurig, 50 Broadway, New York City; Papsdorf, 1432 Myrtle Avenue, Brooklyn, N. Y.; Charles Martin, 218 East Eighty-sixth Street, New York City; Herbert Schmidt, 157 West Seventy-second Street, New York City; Schreiber, 60-89 Myrtle Avenue, Brooklyn, N. Y.; Joseph Zimmerman, 550 Elizabeth Avenue, Elizabeth, N. J.; John Wimmersperg & Hopfe, 17 Battery Place, New York City.

I have given the situation more or less at random without any effort to be either systematic or exhaustive.

These are days fraught with danger to the country, and we cannot stultify ourselves by closing our eyes to it. Action is needed to eradicate this pernicious weed from our midst.

[Here the gavel fell.]

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes.

Mr. LAMBERTSON. Mr. Speaker, reserving the right to object—

Mr. RICH. Mr. Speaker, reserving the right to object, we would like to know whether there is any business coming before the House today.

Mr. LAMBERTSON. Mr. Speaker, I have reserved the right to object.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to address the House for 20 minutes. Is there objection?

Mr. LAMBERTSON. Mr. Speaker, reserving the right to object, and I am not sure that I shall object, but I would like for the gentleman to withhold that while I submit a unanimous-consent request.

Mr. COLLINS. I withhold it, Mr. Speaker.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent that at the end of the 20 minutes, the House consider the resolution I introduced this morning looking to the appointment of a committee by the Speaker to investigate the Jefferson Memorial at St. Louis.

The SPEAKER. The Chair may have something to say about that.

Mr. RAYBURN. Mr. Speaker, reserving the right to object, I think this resolution ought to take the regular course and therefore I object.

The SPEAKER. Did the gentleman from Kansas submit his statement as a unanimous-consent request?

Mr. LAMBERTSON. Yes, Mr. Speaker. I make the request and withhold my consent to the request of the gentleman from Mississippi.

The SPEAKER. Let the Chair submit the request of the gentleman from Kansas [Mr. LAMBERTSON] for the purpose of the RECORD.

The gentleman from Kansas asks unanimous consent that at the conclusion of the remarks of the gentleman from Mississippi, if made, that the resolution the gentleman offered this morning with reference to an investigation of the Jefferson Memorial at St. Louis be in order. Is there objection?

Mr. RAYBURN. For the reason stated, Mr. Speaker, I object.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. COLLINS] to address the House for 20 minutes?

Mr. LAMBERTSON. I am reserving the right to object, Mr. Speaker. Would it be proper for me to state that I did not get the reasons the floor leader gave for his objection?

The SPEAKER. The gentleman from Texas [Mr. RAYBURN] stated "for reasons heretofore stated."

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to ask the majority leader what business is coming before the House following the remarks of the gentleman from Mississippi if unanimous consent is granted.

Mr. RAYBURN. I know of nothing further coming up today.

Mr. LAMBERTSON. Mr. Speaker, I am reserving the right to object, and I believe the floor leader attempted to answer me and state why he objected to the consideration of the resolution, but was interrupted.

Mr. RAYBURN. I do not want the resolution considered this afternoon.

Mr. LAMBERTSON. I thank the gentleman and withdraw my objection, Mr. Speaker.

WASHINGTON AIRPORT

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to extend and revise my remarks at this point concerning the airport here and, on account of its great importance, to include a report made by the gentleman from Florida [Mr. WILCOX], who is on our committee; and I hope no one will object, because it is of considerable importance, and everyone ought to read it.

The SPEAKER. The gentleman from Texas asks unanimous consent to revise and extend his remarks in the RECORD at this point as indicated. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I may say that the minority leader the other day voiced his opposition to such procedure, stating he thought it was not the proper thing to do, and consequently I must object.

Mr. MAVERICK. Mr. Speaker, will not the gentleman withdraw his objection? This matter of an airport for Washington, D. C., is one of the most important things we have before us. This is not a request of a political leader to put a speech in the RECORD.

Mr. MARTIN of Massachusetts. But it puts the RECORD in a false light. If the gentleman wants to extend his remarks, there is a place to do that.

Mr. MAVERICK. All right. Mr. Speaker, I ask unanimous consent to put it in the Appendix.

The SPEAKER. The gentleman from Texas asks unanimous consent to revise and extend his remarks in the Appendix of the RECORD. Is there objection?

Mr. RICH. Mr. Speaker, reserving the right to object, the gentleman states this is in reference to an airport here. Washington is "up in the air" and has been for the last 2 or 3 years and I think if someone can give us a little enlightenment on the subject and get Washington out of the air and on good terra firma, it would be a very fine thing to do.

Mr. MAVERICK. If the gentleman reads this tomorrow he will be thoroughly enlightened.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi to address the House for 20 minutes?

There was no objection.

REVISION OF THE COPYRIGHT LAW AND ESTABLISHMENT OF FIVE SUBSIDIARY NATIONAL LIBRARIES

Mr. COLLINS. Mr. Speaker, so far the Federal Government has interested itself very little in the maintenance of institutions on which depend the enlightenment of the people and the intellectual attainments of the Nation. The library field is practically the sole exception, and it began with the creation of a repository for the needs of the Congress and other Federal governmental agencies. Consequently it was only gradually and as a matter of necessity that from a restricted function the Library of Congress expanded into becoming the repository of the Nation and guardian for posterity of the products of human knowledge in all fields.

There is no denying the fact that if the Library of Congress has grown so well that at present it occupies practically the first place among the libraries of the other great nations insofar as the collections of modern books are concerned, this has been primarily due to the fact that it was created and maintained as a Federal institution. Although the Library of Congress is far from possessing adequately

representative collections in all fields, especially as far as early literature is concerned, it still is an achievement of which Congress may justly be proud.

The Library of Congress has also been of great service to the development of the library field in this country. Practically all libraries in this country enjoy the benefits of the Library of Congress printed cards, the Union Catalog, and other bibliographical facilities now made available by that great library institution. However, all those that are in touch with things and the statesmen who have at heart the development of the intellectual facilities of the Nation are keenly aware of the fact that the time has come when the single national library established in the Capital should be expanded into a system of national libraries, calculated to make available the sources of research and bibliographical facilities in a number of centers of our vast country, coordinating its functions with those of the existing libraries in these regions.

The establishment of the five subsidiary national libraries, as proposed by the bill under consideration, will be welcomed by all who appreciate the fact that the future of the Nation depends on the degree of enlightenment and knowledge attained. There is hardly any more constructive way of promoting the common welfare than to provide the foundation of intellectual development. Many a scholar living within the confines of our country, whose occupation, time, and means do not allow him to travel all the way from his home or residence—which may be thousands of miles away—to the National Capital, the location of the Library of Congress, must go without the desired information because it is not at his disposal or not available in the library of the place where he is carrying on his research. To be sure, there is an interlibrary loan service, but it is hardly adequate for the purposes of scholarship. As a rule, the important libraries—including the Library of Congress—do not lend valuable items or collections of source materials because they are expensive to collect and difficult to replace in case of damage or loss. Furthermore, it is one thing for a scholar to work at a small library and another to have at his disposal the bibliographical facilities of a national library which affords up-to-date indications as to the contributions in his field.

The present political instability and social unrest have demonstrated the wisdom of facilitating penetrating studies in the social and economic fields. The contributions of knowledge are our guarantees for the future development of the Nation on the basis of solidarity and for the welfare and prosperity of our people. No matter what the immediate and future expenditures may be, the benefits to be derived from the proposed system of national libraries are well worth it. Furthermore, an amendment of the existing copyright legislation is capable not only of curtailing the expenditures for the acquisition of books but also of insuring the better collection and preservation of the literary output of our own country.

Coordination in the collection of copyright deposits, cataloging, classifying, card-catalog service, and other bibliographical facilities will result in considerable economies as well as a perfection of the work. Every taxpayer knows that nations in the past have spent untold fortunes for the prosecution of warfare and for the production of vast armaments, and that they have done so "without stint or limit." At this very moment our Government is spending hundreds of millions—nay, even billions—for national defense, because it realizes that without proper security the lives of American citizens will be jeopardized. Narrow selfishness, misinformation, and lack of proper education among the peoples of the various nations, of course, have made such expenditures necessary.

At present battleships are being constructed, a single one of which will call for the expenditure of \$50,000,000, a unit which may be wiped out in a few minutes by a single well-aimed torpedo or a bomb from the air. The amount of money spent on the construction of a single battleship will provide not only for the erection of the five proposed subsidi-

any national library buildings but also for the necessary reference books, equipment, and other expenditures incident to receiving, cataloging, and classifying the copyright deposits and other accessions. Not too much emphasis can be put upon the fact that the money thus employed and expended will create permanent values which will be of a constructive character as well as of a highly desirable nature; for that nation is best prepared to survive which is founded upon the rock of knowledge. Money spent for these purposes, outlined above, is an investment which our country surely can no longer afford to neglect.

Addressing recently the District of Columbia Library Association, Mrs. Franklin D. Roosevelt sagely remarked that—

We know that without libraries, without education, which is based largely on libraries, we cannot have an educated people who will carry on successfully our form of government.

Mrs. Roosevelt's speech was so timely and so appropriate that I shall take the liberty of quoting it at some length. Our philanthropic, beloved First Lady said further:

I have lived a great deal in the country, in a State which prides itself in spending much money on education, and I am quite sure that some people think there is no lack of education and no lack of library facilities, and sometimes I long to take people and let them see some of the back-country districts that I know in New York State.

I know one place in the northern part of the State where I camped for a while in the summer, and I went to the school and talked to the teachers. They are using school books which have been passed down from one child to another. They have practically no books outside of the textbooks. The children in the district are so poor and some of them so pathetic that I suppose the struggle to live has been so great you could not think much about what you fed the mind, but I came away feeling that right there, in one of the biggest and richest States in the country, we had a big area that needed books, and needed libraries to help these schools in the education of the children, and, even more, to help the whole community to learn to live through their minds. Now, we are doing a tremendous amount through the home-economics colleges to help people to learn how to live in their homes, to better their standards of material living. We have got to think in exactly the same way about helping them to live mentally and to attain better standards, and we cannot do it only through the children. We can do ground work with the children; we must begin with them; but we have got to do a tremendous amount with the older people.

I had a letter the other day which was pathetic. It was from a man who said he was 74 years old. He wrote to ask me to see that the adult-education classes in that particular community were not stopped, because it had meant so much to him to learn to read. He did not think that I could understand what it meant never to have been able to understand a word on the printed page. He said, "I am not the only one. My next door neighbor is 81, and he learned to read last winter, and it has just made life over for us." It gave you the feeling that there is a good deal of education that is not being done in this country in spite of all that is done.

We have come a long way. We have done a great deal, but we still have a lot that can be done to improve our educational system, and we still have a tremendous amount to do with our libraries. We have got to make our libraries the center of a new life in the mind, because people are hungry to use their minds.

Dr. James Ingersoll Wyer, director of the New York State Library, in an address delivered before the New York Library Association in February 1928 pointed out that—

even considered as a means of protection against foreign enemies, books are more effective than battleships, for the real strength of a nation in war as in peace is in the intelligence, inventiveness, and steadfastness of its people, and not in the obsolete weapons which generals and admirals so much stress.

The need of a greater extension of the library service, and the importance of our Government's interest in this service, is recognized and emphasized by librarians and scholars from all parts of the country. Says Elizabeth Robinson, secretary of the State library commission, Jackson, Miss.:

The need everywhere is for books. The thousands of volumes and countless thousands of magazines that have been made available do not in any way meet the opportunity that has opened (Library Journal, v. 60, p. 98).

Carleton B. Joeckel, professor of library science, University of Michigan, in an article dealing with the Federal Relations to Libraries, expresses his satisfaction with the National Government's awakened interest in libraries and believes that it has assumed "a position of major importance in our plans for the development of library service, through-

out the country" (ibid., p. 99). A good library, exclaims Milton J. Ferguson, chief librarian of the Brooklyn Public Library, is "a great power, a master influence" (ibid., v. 61, p. 873). No one doubts the truth of the statements cited above, which were made usually with reference to general readers or students throughout the country. That the needs in respect to material and facilities are infinitely greater in the case of students and professional men who are engaged in serious scientific research work must be patent to anyone who seriously reflects upon this most important matter.

Under the provisions of the present Copyright Act, passed by Congress more than a quarter of a century ago, the deposit of two copies, as is generally known, is required for the registration of all works published in the United States. The Register of Copyrights then turns over these registered copies to the Library of Congress, which selects from among them the copies needed for its own use. For the purposes of registration there seems to be no sufficient reason why two copies should be required by the statute rather than one or three. By the bill under consideration it is proposed that the present copyright law be amended to the effect that 12 copies be deposited with the Register of Copyrights instead of two of any publications, as hitherto required in conformity with section 5, paragraphs (a) and (b) of the said Copyright Act of 1909. It is provided, however—

That no deposit need be made for the benefit of the said regional national libraries if the number of copies of the published edition of said copyrighted work shall not exceed 300 copies and the published price of each volume exceed \$50; that upon the receipt of such copyright deposits by the Register of Copyrights, two copies shall be immediately turned over to each of the librarians of the regional national libraries for the benefit and use of such libraries; and that no action or proceeding shall be maintained for infringement of copyright of any work until the provisions of this act with respect to the deposit of copies and registration of such work shall have been complied with.

Under the proposed law the five regional national libraries are to be established at the great centers of population, easily accessible to the people of the United States; that is, at New York City, Memphis, Tenn., Chicago, Ill., Denver, Colo., and San Francisco, Calif. There may be the need of say two other regional libraries, but certainly these, if five are to be considered, are the places, in my judgment, where they should be located. These sites were selected not only because they may be easily reached, but also because they are located in great centers of population and thus will benefit the greatest number of people. Persons not familiar with the needs of scientific research workers may object that in the cities selected there are located large and splendid libraries. Such objections, however, do not take into account that complete sets of Government documents are rarely available in public or private libraries whose main object in nearly all instances is to entertain and to enlighten rather than to provide facilities for serious legal, economic, and other scientific research work.

With these objectives in mind the new law (sec. 3) is to provide that "in order to insure the better preservation of United States journals and documents, and to increase their availability in the various regions of the country, each of the said regional libraries is hereby constituted a depository of Government publications", and that the Superintendent of Documents shall supply to each of the five regional libraries two copies of such Government publications, similarly as this is being done at the present time in the case of the Library of Congress in the National Capital. It will be noted that this article stresses the need of "better preservation of United States journals and documents." Hostile invasion, civil war, earthquakes, floods, deterioration, theft, fire, and other causes have in the past done irreparable damage to the great libraries of the world. Untold literary treasures vanished with the barbarous burning of the famous Alexandrian libraries, and through the destruction of the Louvain Library. Even our own Congressional Library during the War of 1812 was largely destroyed, but the restored Library of Congress suffered a far greater loss in the Capitol fire of 1851. Many rare books and manuscripts, and many priceless documents have been destroyed

and wiped out of existence. If copies of such documents had been deposited in various parts of the world or in different sections of a large country like ours, the chance of their total destruction would, of course, have been greatly minimized. The deposition of Government documents with the regional national libraries is a safeguard against the emergencies indicated above. That it will also preserve books from damage, loss, and destruction in the mails must not be overlooked. It is quite evident that even the books and documents sent through the mails at the present time by the library-exchange service are sometimes scarce and valuable items and that the damage done to them, or their loss, is a matter of vital importance.

It may be of interest to note in this connection that the usefulness of depositing copies of published works not in one, but in several of their libraries has long been recognized in various other countries, and is required by their respective laws. Thus, for instance, the British statutes¹ require that the publishers of any works published in the United Kingdom must deposit within 1 month after publication one copy with the trustees of the British Museum; and they also must deliver, if written demand to that effect is made within a year after publication, one copy each to the five following libraries: The Bodleian Library, Oxford; the University Library, Cambridge; the Library of the Faculty of Advocates at Edinburgh; the Library of Trinity College, Dublin; and the National Library of Wales. Similarly, the law in the Irish Free State² provides that six copies must be delivered to various libraries, that is, one copy of the book to the trustees of the National Library of Ireland, one copy to the authority having control of the Library of Trinity College, Dublin, three copies to the proper authorities of the National University of Ireland, and one copy to the trustees of the British Museum. Four additional copies are to be delivered, if written demand is made to that effect within a year after publication of the book to various other libraries, that is, one copy to the authorities having control of the following libraries: the Bodleian Library, Oxford; the University Library, Cambridge; the National Library of Scotland; and the National Library of Wales.

The statutes of the Union of South Africa³ make provision for the delivery of one copy to the trustees of the British Museum and one copy each to the four principal libraries in different sections of the Union of South Africa. In India, section 15 of the Indian Copyright Act, 1914,⁴ which is identical with section 15 of the British Copyright Act, 1911, also calls for the delivery of one copy to the trustees of the British Museum, and of one copy each to the libraries at Oxford, Cambridge, Edinburgh, Dublin, and Wales. In Australia one copy must be deposited with the register and one with the librarian of Parliament. At the same time the Australian Copyright Act provides that—

Nothing in this act⁵ shall be deemed to affect the existing provisions of any act of Parliament of a State which require or relate to the delivery to any specified public and other library of the State of copies of books published in the State or to affect the power of the Parliament of a State to make laws requiring or relating to such delivery.

The New Zealand copyright law⁶ prescribes that three copies must be deposited. Of these, one goes to the registrar and two to the librarian of the New Zealand General Assembly Library. Aside from these English-speaking countries there are a number of other countries where a deposit of three or more copies is required. Among them are the following, the number of copies required being given in paren-

thesis: Albania (3), Argentina (3), Colombia (3), Costa Rica (3), Ecuador (3), Greece (4), Guatemala (4), Haiti (5), Nicaragua (6), Panama (3), Russia, R. S. F. S. R.⁷ (45), Siam (3), Spain (3), Turkey (3), and Venezuela (5).

Considering the facts outlined above, that the establishment of the five regional national libraries at the principal centers of population will greatly lessen the necessity of thousands of people making expensive and time-consuming journeys to Washington as they must do now; that their establishment will curtail considerably the number of inter-library loans of valuable books, and thus serve to save them from wear and tear in transit and avoid the loss of their use while being sent and returned; that their establishment will greatly lessen the loss of valuable copyright deposits and Government documents by fire, theft, hostile invasion, civil war, earthquakes, floods, and other causes, since such calamities are not likely to occur at all the five regional national libraries at the same time; that the danger of the loss of valuable books and documents, also the convenience to their citizens of having suitably located depositories, have long been recognized by the governments of many other countries, and that for this reason laws have been passed by them for the deposit of copyrighted copies in depositories conveniently located in various sections of such countries; that the cost of the establishment of five regional national libraries would be no more than that of one modern battleship; that the value of the proposed book depositories will increase constantly from year to year, while the battleship will be practically obsolete by the time it is put in commission; that the benefit ensuing from the erection of the said regional national libraries will be of incalculable benefit to this entire Nation; and, furthermore, considering that the money expended for the establishment and upkeep of the said proposed libraries will be one of the best investments ever engaged in by the Government of this country, no time should be lost in the realization of this proposal, namely, that the five regional national libraries shall be constructed as soon as possible and maintained at New York, Memphis, Chicago, Denver, and San Francisco, as proposed by the bill (H. R. 3699) under consideration.

LAWS OF GREAT BRITAIN, IRELAND, SOUTH AFRICA, INDIA, AUSTRALIA, AND NEW ZEALAND RESPECTING DELIVERY OF COPIES OF COPYRIGHTED WORKS

I. GREAT BRITAIN

Copyright Act, 1911, section 15

SECTION 15. (1) The publisher of every book published in the United Kingdom shall within 1 month after the publication, deliver, at his own expense, a copy of the book to the trustees of the British Museum, who shall give a written receipt for it.

(2) He shall also, if written demand is made before the expiration of 12 months after publication, deliver within 1 month after receipt of that written demand or, if the demand was made before the publication, within 1 month after publication, to some depot in London named in the demand a copy of the book for, or in accordance with the directions of, the authority having the control of each of the following libraries, namely: The Bodleian Library, Oxford; the University Library, Cambridge; the Library of the Faculty of Advocates at Edinburgh, and the Library of Trinity College, Dublin, and subject to the provisions of this section the National Library of Wales. In the case of an encyclopedia, newspaper, review, magazine, or work published in a series of numbers or parts, the written demand may include all numbers or parts of the work which may be subsequently published.

(3) The copy delivered to the trustees of the British Museum shall be a copy of the whole work with all maps and illustrations belonging thereto, finished and colored in the same manner as the best copies of the book are published, and shall be bound, sewed, or stitched together, and on the best paper on which the book is printed.

¹ See Roethlisberger, E., *Schutz des Urheberrechts*, 4 ed., 1931, p. 44 ff.

² Law of Nov. 20, 1933, concerning the obligatory number of copies to be supplied to the authorities (in conformity with the national law of Sept. 13, 1933) requires that printers must deposit with the "book chamber" 45 copies of all publications exceeding 2 pages, provided that the edition of such publications exceeds 500 copies. If it is less than 500 copies, only 20 copies need to be deposited. The items thus deposited are distributed among the various libraries of the country. See Fogelevich, L., *Basic principles and legislation concerning the Russian press*, 5 ed., 1935, p. 133 ff.

³ Copyright Act, 1911, ch. 46, sec. 15.

⁴ Industrial and Commercial Property (Protection) Act, 1927 (no. 16 of 1927), sec. 178.

⁵ Patents, Designs, Trade-Marks, and Copyright Act, 1916 (no. 9 of 1916), sec. 150.

⁶ The Indian Copyright Act, 1914 (III of 1914), sec. 15.

⁷ The Copyright Act, 1912 (no. 20 of 1912), sec. 41; see also *ibid.*, secs. 38 and 40.

⁸ The Copyright Act, 1913 (no. 4 of 1913), secs. 50 and 52.

(4) The copy delivered for the other authorities mentioned in this section shall be in the paper on which the largest number of copies of the book is printed for sale, and shall be in the like condition as the books prepared for sale.

(5) The books of which copies are to be delivered to the National Library of Wales shall not include books of such classes as may be specified in regulations to be made by the Board of Trade.

(6) If a publisher fails to comply with this section, he shall be liable on summary conviction to a fine not exceeding £5 and the value of the book, and the fine shall be paid to the trustees or authority to whom the book ought to have been delivered.

(7) For the purposes of this section, the expression "book" includes every part or division of a book, pamphlet, sheet of letterpress, sheet of music, map, plan, chart, or table separately published, but shall not include any second or subsequent edition of a book unless such edition contains additions or alterations either in the letterpress or in the maps, prints, and other engravings belonging thereto.

II. IRISH FREE STATE

Industrial and Commercial Property (Protection) Act, 1927, Section 178

SECTION 178. (1) The publisher of every book first published in Saorstát Éireann shall, within 1 month after the publication, deliver, at his own expense, a copy of the book to the trustees of the National Library, of Ireland, a copy of the book to the authority having control of the Library of Trinity College, Dublin, three copies of the book for or in accordance with the directions of the authority having control of the National University of Ireland for the use of the respective libraries of the three constituent colleges of that university, and a copy of the book to the trustees of the British Museum, and such trustees and authority respectively shall give a written receipt for every book so delivered to them:

Provided that the minister may, on the application of the trustees of the National Library of Ireland, or of the authority having control of the library of Trinity College, Dublin, or of any of the respective authorities having control of the three constituent colleges of the National University of Ireland, or of the trustees of the British Museum, make regulations excepting from the provisions of this subsection in regard to the trustees or authority making the application, publications wholly or mainly in the nature of trade advertisements, or such classes of such publications as may be specified in the regulations, and thereupon it shall not be necessary for the publisher of any publication so excepted to deliver the publication to the trustees or the authority or for such trustees or authority to give a receipt therefor, unless as respects any particular publication a written demand for the delivery thereof is made by such trustees or authority.

(2) He shall also, if written demand is made before the expiration of 12 months after publication, deliver within 1 month after receipt of that written demand or if the demand was made before publication, within 1 month after publication, to some address in Dublin named in the demand a copy of the book for, or in accordance with the directions of, the authority having the control of each of the following libraries, namely: the Bodleian Library, Oxford, the University Library, Cambridge, the National Library of Scotland, and the National Library of Wales. In the case of an encyclopedia, newspaper, review, magazine, or work published in a series of numbers or parts, the written demand may include all numbers or parts of the work which may be subsequently published.

(3)-(6) * * * These subsections are identical with subsections (3), (4), (6), and (7) of the British Copyright Act, 1911, section 15, cited above, with the exception of subsection (5) which is omitted in section 178 of the Industrial and Commercial Property (Protection) Act, 1927, of the Irish Free State.

III. UNION OF SOUTH AFRICA

Patents, Designs, Trade-Marks, and Copyright Act, 1916, section 150

SECTION 150. (1) The publishers of every book first published in the Union and whether printed therein or not, shall, within 1 month after the day on which such book is first delivered out of the press for issue, deliver free of any charge, bound, sewed, or stitched on the best paper and in the best manner in which such book is issued, one copy to the trustees of the British Museum, and one copy each to the authority having control of each of the following libraries, namely: the South African Public Library, Cape Town; the Library of the Natal Society, Pietermaritzburg; the State Library, Pretoria; and the Bloemfontein Public Library. In the case of an encyclopedia, newspaper, review, magazine, or work published in series of numbers or parts, the delivery prescribed by this section includes all numbers or parts of the work which may be subsequently published.

(2) Any publisher who fails to comply with this section shall be liable on conviction to a fine not exceeding £5 and the value of the book, and the fine shall be paid to the trustees or authority to whom the book ought to have been delivered.

(3) For the purpose of this section, a certificate given under the hand of the librarian of a benefiting library that a book has not been received shall be sufficient evidence of the facts stated in the certificate.

(4) For the purposes of this section the expression "book" includes every part or division of a book, pamphlet, sheet of letterpress, sheet of music, map, plan, chart, or table separately pub-

lished, but shall not include any second or subsequent edition of a book unless such edition contains additions or alterations either in the letterpress or in maps, prints, or other engravings belonging thereto.

IV. INDIA

Indian Copyright Act, 1914, section 15

This section of the act is identical with section 15 of the British Copyright Act, 1911, cited above.

V. AUSTRALIA

Copyright Act, 1912, sections 38-42

SECTION 38. (1) Every person who makes application for the registration of the copyright in a book shall deliver to the registrar one copy of the whole book with maps and illustrations belonging thereto, finished and colored in the same manner as the best copies of the book are published, and bound, sewed, stitched together, and on the best paper on which the book is printed.

(2) Every person who makes application for the legislation of the copyright in a work of art shall deliver to the registrar one copy of the work of art or a representation of it.

(3) The registrar shall refuse to register the copyright in any book until subsection (1) of this section has been complied with, or the copyright in a work of art until subsection (2) of this section has been complied with.

(4) Each copy of representation delivered to the registrar in pursuance of this section shall be retained at the Copyright Office.

SEC. 39. A person who willfully makes any false statement or representation to deceive the registrar or any officer in the execution of this part of this act, or to procure or to influence the doing or omission of anything in relation to this part of this act, or any matter thereunder, shall be guilty of an indictable offense.

Penalty: Imprisonment for 3 years.

SEC. 40. (1) The publisher of every book which is first published in the Commonwealth after the commencement of this section, and in which copyright subsists under this act, shall within 1 month after the publication deliver, at his own expense, a copy of the book to the librarian of the Parliament, who shall give a written receipt for it.

(2) The copy delivered to the librarian of the Parliament shall be a copy of the whole book, with all maps and illustrations belonging thereto, published, and bound, sewed, or stitched together, and on the best paper on which the book is printed.

(3) If a publisher fails to comply with this section, he shall be liable on summary conviction to a fine not exceeding £5 and the value of the book.

(4) For the purpose of this section the expression "book" includes every part or division of a book, pamphlet, sheet of letterpress, map, plan, chart, or table, but shall not include any second or subsequent edition of a book unless that edition contains additions or alterations either in the letter press or in the maps, prints, or other engravings belonging thereto or any book published by any state or any authority of a state.

SEC. 41. Nothing in this act shall be deemed to affect the existing provisions of any act of the parliament of a state which require or relate to the delivery to any specified public or other library of the state of copies of books published in the state or to affect the power of the parliament of a state to make laws requiring or relating to such delivery.

SEC. 42. The Governor General may make regulations, not inconsistent with this act, prescribing all matters which by this act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for giving effect to this act or for the conduct of any business relating to the Copyright Office.

VI. NEW ZEALAND

Copyright Act, 1913, sections 50-53

SECTION 50. (1) Every person who makes application for the registration of a copyright in a book shall deliver to the registrar one copy of the whole book with all maps and illustrations belonging thereto, finished and colored in the same manner as the best copies of the book are published and bound, sewed, or stitched together, and on the best paper on which the book is printed.

(2) Every person who makes an application for the registration of the copyright in a work of art shall deliver to the registrar one copy of the work of art or a representation of it.

(3a) The registrar shall refuse to register the copyright in any book until subsection 1 of this section has been complied with, or the copyright in a work of art until subsection 2 of this section has been complied with.

(4) Each copy or representation delivered to the registrar in pursuance of this section shall be retained at the Copyright Office.

SEC. 51. (1) The publisher of every book which is first published in New Zealand after the commencement of this act, and in which copyright subsists under this act, shall within 1 month after the publication deliver, at his own expense, two copies of the book to the librarian of the general assembly library, who shall give a written receipt for them.

(2) The copies delivered to the librarian of the general assembly library shall be copies of the whole book, with all maps and illustrations belonging thereto, finished and colored in the same manner as the best copies of the book are published and bound, sewed, or stitched together and on the best paper on which the book is printed.

(3) If a publisher fails to comply with this section, he shall be liable on summary conviction to a fine not exceeding £5 and the value of the copies.

(4) For the purpose of this section the expression "book" includes every part or division of a book, pamphlet, sheet of letterpress, map, plan, chart, or table, but shall not include any second or subsequent edition of a book unless that edition contains additions or alterations either in the letterpress or in the maps, prints, or other engravings belonging thereto.

Sec. 53. The governor in council may make regulations, not inconsistent with this act, prescribing all matters which by this act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for giving effect to this act or for the conduct of any business relating to the copyright office.

ENLISTMENT IN FOREIGN SERVICE

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to address the House for 7 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. PHILLIPS. Mr. Speaker, I hold in my hand the current issue of Time magazine, and I direct attention to an article on page 19 of that magazine. With the permission of the House, I shall read excerpts from it. This refers to an American citizen who enlisted to fight in the Spanish war, and here is what the first paragraph of the article says:

Into the Washington embassy of the Spanish Leftists stepped one time United States Army Pilot Harold Dahl. A secretary offered him a contract at \$1,500 per week to act as an instructor of Leftists fliers in Spain. The contract provided that Pilot Dahl's wages be paid outside of Spain directly to his bride, Mrs. Edith Rogers Dahl, who used to appear with "Crooner" Rudy Vallee's band. After signing, Pilot Dahl was sent to Mexico, provided there with a passport showing him to be a Spaniard by the name of Hernandez Diaz.

Then the article tells of his going to fight as a flier with the Leftist forces in Spain. I read further, now, giving the language of Mr. Dahl, who is quoted in the article as saying:

I was flying alone in a biplane of Russian make, similar to the Curtiss Hawk pursuit. My parachute landed me in the midst of a company of Moors we had been bombing the daylight out of for 2 or 3 days.

Then it goes on to tell how his life was spared; and further he says, speaking of the Leftist forces:

When I flew with them, which was most of the time, I never knew where I was going or what might happen. I was merely told on short notice when to take off, and then took my place in formation until we landed.

Further on in the article Pilot Dahl is quoted as saying:

I am not a Communist and never was, but I had no job, and I heard I could get plenty of money for flying in Spain.

Mr. Speaker, I now call attention to section 5282 of the Revised Statutes of the United States, which reads as follows:

Every person who, within the territory or jurisdiction of the United States, enlists or enters himself, or hires or retains another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States with intent to be enlisted or entered in the service of any foreign prince, state, colony, district, or people, as a soldier, or as a marine or seaman, on board of any vessel of war, letter of marque, or privateer, shall be deemed guilty of high misdemeanor, and shall be fined not more than \$1,000, and imprisoned not more than 3 years.

If this article in this magazine is correct, then according to the law of the land it is certainly time that the authorities took action against anyone in the Spanish Embassy or anywhere else who is guilty of enlisting anybody to go abroad to fight any war in Spain, because under the provisions of this statute which I have just quoted it is definitely illegal. I intend to make it my purpose and to act to bring this article and this action on the part of those breaking the law to the attention of the prosecuting authorities of the United States Government, to the end that the enlistment of American citizens to fight in foreign wars shall be stopped. I will do this because in my opinion it is not only illegal, but because also in the opinion of a great many people in this country, the more Americans take part in foreign wars the nearer we are to being dragged into a foreign war ourselves.

THE CHINESE SITUATION

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, I listened with much interest to the gentleman from Connecticut [Mr. PHILLIPS], who has just spoken; and I think he has touched on a very important matter, not so much as it affects Spain but as it affects the policy of this Nation. I can readily see a situation that may develop in a short time that could involve this country in war, when we are unanimous for peace—not in Spain but in China. I have read in the newspapers the proposal to enlist American airmen by the hundreds to fight in the Chinese air force against the Japanese. If that is permitted, knowing how intensely nationalistic and patriotic the Japanese are and how easy it is to offend and inflame them, we are faced with a serious situation. If hundreds of Americans should enlist and fight in the Chinese air force against the Japanese within the next few months, assuming that the war lasts that long, then we would immediately be in danger of being involved in that war ourselves. "A stitch in time often saves nine." Is it not the duty of the Congress of the United States to see that the law against foreign enlistments is enforced and even to write new laws to prohibit American citizens fighting in the air forces of any foreign nation? We are complacent and quiescent when it comes to the question of a few Americans fighting in the armed forces of some nation which will not involve us in war, whether it is in Spain or Mexico or South America, but when it comes to involving us in war with a powerful nation, then that is an entirely different matter.

I see sitting before me the gentleman from Indiana [Mr. LUDLOW]. He has a petition on the desk to discharge the committee on a resolution providing for a constitutional amendment to give the American people the right to declare war in the future or to determine by referendum whether they want to declare war. I also have a petition on the desk to discharge a committee of a resolution which I would like to see passed. That is on a resolution prohibiting the sale of arms, ammunition, and implements of war in time of peace as well as in time of war. Look at the situation in China today. Actually there is a war going on in China without a declaration of war, and we are permitted to send all kinds of arms, ammunition, and implements of war to both sides to kill and maim and destroy property. I think that is against the wishes and intent of the peace-loving American people. No one knows how long the armed conflict will continue in China without a declaration of war, and as long as no declaration is made, we can continue to ship arms and ammunition to kill people with whom we are at peace, for sake of blood money and for sake of war profits.

I have taken these few minutes to make certain observations on the Chinese situation and in regard to the American policy in connection with China. This administration claims it is operating under the "good neighbor" policy, yet we have in China, a nation with whom we are at peace, and one of the oldest nations in the world, an entire American infantry regiment, the Fifteenth United States Infantry Regiment, stationed at Tientsien, 702 men and 40 officers. We have over 1,500 marines stationed in China at Peiping and Shanghai. We have 10 gunboats. For what purpose? I defy any single Member of Congress to point out for what good or needful purpose. Ten American gunboats to patrol Chinese rivers; the rivers of a nation with whom we are at profound peace.

There are only 12,000 Americans in all of China, yet we have 2,500 soldiers and marines stationed there permanently. In addition to that, we have set up a system of courts with extraterritorial rights. We are spending approximately \$10,000,000 of American money on our armed forces in China including our naval vessels and yet we only do some-

thing like \$50,000,000 worth of export trade to China. Is this a "good neighbor" policy? Why should we maintain any extraterritorial rights in China? We secured them away back in 1906 after the Boxer Rebellion, but what good does it do us? What good purpose does it serve? Does it make for friendship with China to intrude and invade our influence on her soil? Certainly not. We have withdrawn our armed forces from Haiti, Nicaragua, and from Cuba. Why do we not withdraw them from China? I would like to know the answer. For years I have been opposed to our maintaining extraterritorial rights in China or in any other nation. Due to the World War Germany lost her extraterritorial rights; so did Austria and Hungary. I spoke to a high representative of the German Embassy today, and he told me that they were better off without them because of developing more friendly relations with China; as they were not intruding upon Chinese rights, on their sovereignty, or upon their integrity as a nation.

So I point out today when the Chinese situation is uppermost in the thoughts of our people that the Congress of the United States ought to consider what our policy should be, whether we should continue to maintain these extraterritorial rights, and for what purpose, or whether we should call back every single soldier, sailor, and marine out of China.

The French also maintain certain armed forces in Tientsin. Just the other day two French soldiers were wounded there. This might have involved them in war with Japan. If a few American soldiers were wounded by Japanese in China, we would be more than apt to be in difficulty overnight with Japan because of the bad blood that unfortunately exists due to certain restrictions in this country on immigration from Japan. This is the time for Congress to consider these issues, and not when it is too late.

I ask the Members on the Democratic side, those who uphold the good-neighbor policy, Why should we maintain an infantry regiment in China; why should we keep 1,500 marines there; why should we have 10 gunboats, at a cost of \$1,300,000 annually, on peaceful Chinese rivers? These are some of the questions we are entitled to have answered, situations for which the administration will be responsible if we become involved. Congress, likewise, has its responsibilities.

In addition to that, we have a whole fleet of naval vessels in Chinese waters, a fleet composed of 1 heavy cruiser, 13 destroyers, 1 submarine tender, 1 destroyer tender, 1 submarine rescue vessel, 1 mine sweeper, 1 seaplane tender, 1 oil tanker, and 6 seaplanes. These vessels are all in Chinese waters at the present time, costing the American taxpayers large sums of money.

Mr. COLLINS. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. COLLINS. The gentleman knows that there is not anything new about this; it has been going on for 20 years.

Mr. FISH. Yes. I think it has been going on since 1906. It has been going on just about 30 years too long, and for no purpose. Does anybody claim that it does? That is what I want to have answered. I want to know why we have to spend \$10,000,000 of American money in China to protect our vested interests and maintain an armed force of 2,500 to protect the interests of 12,000 Americans living in China or engaged in business there.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. RANDOLPH. Without entering into the argument of the gentleman from New York, does the gentleman contend that the removal of these ships would cause our relations with China to be any more friendly than they are at the present time?

Mr. FISH. I should think they would be. Would it not be natural if circumstances were reversed and we had foreign troops on our soil that we would like to have them removed?

Mr. RANDOLPH. Let me ask the question in another way: Is there any unfriendly attitude between China and the United States?

Mr. FISH. No. I would say the relationship between the two countries is very friendly, as the Chinese appreciate that we seek no conquered territories or have any imperialistic aims. However, they naturally resent any foreign troops being stationed in their country.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Certainly, no nation likes foreign troops to remain upon her sovereign soil; and why should we keep such a large force of infantry and marines in China when there are only 10,000 or 12,000 American citizens there, and we do only \$50,000,000 of export business? We are spending this year approximately \$10,000,000 in China out of the Treasury of the United States to keep our armed forces, including naval detachments, there. This seems to me to be a very large sum of money for this purpose and an unnecessary expenditure and not in harmony with the avowed good-neighbor policy of the administration.

Mr. KELLER. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. KELLER. Do I understand the gentleman to say that if we did not spend that money there that we would not spend it at some other place?

Mr. FISH. We would not spend that much. The entire expenditure is increased by having them there. Take for instance the 10 gunboats, they would not be used anywhere else.

Mr. KELLER. They might be used here, might they not?

Mr. FISH. No; they would not be used here. I think they were built over there for a specific purpose.

Mr. COFFEE of Washington. They are the Chinese river gunboats?

Mr. FISH. Yes; they are Chinese river gunboats, and there are from 30 to 35 Americans on each boat. It takes a lot of good American dollars to keep these gunboats on peaceful Chinese rivers.

Mr. KELLER. But other nations are there.

Mr. FISH. I do not know or care about the activities of other nations in foreign lands.

Mr. COFFEE of Washington. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. COFFEE of Washington. As I recall, Gen. Smedley D. Butler on numerous occasions has voiced the same sentiments as those uttered by the gentleman from New York. We are keeping the American gunboats on the Yangtze Kiang River to protect American oil interests which have heavy investments along that river.

Mr. FISH. I am glad the gentleman brought that out. I cannot imagine any legitimate reason for these gunboats of ours being on this river in China. Now is the time to find out the facts when American public opinion is aroused and to withdraw our armed forces, gunboats, and to give up voluntarily our extraterritorial rights. If there is a big war over there, we might become involved as a result of maintaining armed forces in a foreign country.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 2 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. FISH. Mr. Speaker, I have just one interest in this whole matter, the same as every other Member of the Congress, whether he be a Democrat or a Republican, and the same as the gentleman from Connecticut who just spoke—and that is to prevent Americans going over to China and involving us in a war. If the old nations of the world want

to arm to the teeth, like Japan, and go to war, it is their war and not our war. The way to keep out of the war is to keep American troops away from the war zone and keep American citizens from fighting in the combat units of any warring nations. That should be self-evident.

We, as Members of the Congress, are the only ones, beside the President, who have the authority to recall our armed forces. These troops may be recalled by an act of Congress. We can prevent our citizens from serving in the armed forces of any nation in time of war by depriving them of citizenship.

I submit the resolution offered by the gentleman from Indiana [Mr. LUDLOW] should be passed. This resolution gives the people the right to declare war, if they want to, or to refuse to declare war. We should adopt also the resolution which I have offered prohibiting the sale of arms, ammunition, and implements of war to all nations, whether in time of peace or in time of war.

Mr. LUDLOW. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Indiana.

Mr. LUDLOW. Will the gentleman state the number of the discharge petition he has filed?

Mr. FISH. It is no. 18. The gentleman has on his petition something like 170 signatures. It needs 218 signatures to bring his resolution to amend the Constitution before the House of Representatives for consideration.

Mr. Speaker, why not give the people the right to vote on that proposition? Why not give them the right to declare war or not declare war? Let the American people decide these issues. Why not initiate that kind of a constitutional amendment and let the people decide if they want to have control in the future of the question of peace or war. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SHANNON. Mr. Speaker, I ask unanimous consent that on tomorrow, after the address of the gentleman from Michigan [Mr. HOFFMAN], I may be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXTENSION OF REMARKS

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial on the Pure Food and Drugs Act.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD at the point where I spoke earlier this afternoon, and to include therein copy of a resolution which I have today introduced.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

Mr. MAVERICK. I think the gentleman from Massachusetts [Mr. MARTIN] should object to that.

Mr. MARTIN of Massachusetts. I may say the gentleman from Kansas made an address today.

Mr. MAVERICK. Did I not say something?

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

PROVIDING FOR THE ESCHEAT TO THE UNITED STATES OF CERTAIN AMOUNTS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill, H. R. 7741, to amend the Adjusted Compensation Payment Act, 1936, to provide for the escheat to the United States of certain amounts.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, reserving the right to object, and I do not know that I shall object, I would like to know what this bill does.

Mr. DOUGHTON. Mr. Speaker, this bill amends the Adjusted Compensation Payment Act of 1936, and provides that where a veteran dies without heirs and is entitled to compensation, as the law now stands there seems to be some doubt as to whether the money goes back to the Federal Treasury or to the State. It might perhaps go to the State. This amends the act so that the money goes into the Federal Treasury.

Under the present law when a veteran dies, the administrator of the veteran's affairs certifies to the Secretary of the Treasury and he issues the bonds necessary for payment of the bonus certificate. Under the present law there is some doubt whether that money will go back to the Treasury of the United States or to the State. We think it should go into the Treasury of the United States from whence it came. This bill comes in with a unanimous report from the Committee on Ways and Means.

Mr. RICH. The gentleman says the money should go back into the Treasury. There is no one in the House of Representatives who knows more than does the chairman of the Ways and Means Committee that we ought to get some money back into the Treasury of the United States.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. DOUGHTON]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4 of the Adjusted Compensation Payment Act, 1936, as amended, is hereby further amended by striking out the period at the end of the first sentence added by the act approved June 26, 1936 (49 Stat. 1982), and inserting a colon and the following: "Provided, That the amount of any such payment (including any payment heretofore made) which, under the law of the State or country pursuant to which the estate of the deceased veteran would be distributed, would otherwise escheat to such State or country, shall escheat to the United States and shall be covered into the general fund of the Treasury."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted, as follows:

To Mr. MOSER of Pennsylvania, for 1 day, on account of important business.

To Mr. MITCHELL of Illinois, indefinitely, on account of illness in family.

EXTENSION OF REMARKS

Mr. BERNARD. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein the Mohawk Valley plan.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a copy of a letter I wrote to the President on the subject of the New England Flood Control Compact.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 114. An act to provide for studies and plans for the development of a hydroelectric power project at Cabinet Gorge, on the Clark Fork of the Columbia River, for irrigation pumping or other uses, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 81. An act to provide retirement annuities for certain former employees of the Panama Canal and the Panama Railroad Co. on the Isthmus of Panama;

S. 607. An act to authorize improvement of navigation facilities on the Columbia River, and for other purposes;

S. 774. An act to incorporate the Marine Corps League;

S. 1115. An act to amend section 22 of the act approved March 4, 1925, entitled "An act providing for sundry matters affecting the naval service, and for other purposes";

S. 1278. An act to authorize exchange of lands at military reservations, and for other purposes;

S. 1281. An act to authorize the sale of surplus War Department real property;

S. 2116. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Natchez, Miss.;

S. 2147. An act to amend provisions of the Agricultural Marketing Agreement Act of 1937;

S. 2157. An act authorizing credits to disbursing officers for expenses incident to the creation of subsistence homesteads corporations; and

S. 2205. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 39 minutes p. m.) the House adjourned until tomorrow, Wednesday, August 4, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will meet Wednesday, August 4, 1937, at 10 a. m., for the purpose of hearings on House Joint Resolution 458, providing for the participation of the United States in the continuing international exposition to be known as Pacific Mercado, to be held in the city of Los Angeles, Calif., commencing in the year 1940, and in the year 1942 commemorating the landing of Cabrillo, and for other reasons.

COMMITTEE ON NAVAL AFFAIRS

Special Subcommittee on Naval Affairs appointed by Chairman CARL VINSON will hold open hearings on H. R. 7777, to further amend section 3 of the act entitled "An act to establish the composition of the United States Navy with respect to the categories of vessels limited by treaties signed at Washington, February 6, 1922, and at London, April 22, 1930, at the limit prescribed by those treaties; to authorize the construction of certain naval vessels; and for other purposes", approved March 27, 1934 (48 Stat. 505), as amended by the act of June 25, 1936 (49 Stat. 1926; 34 U. S. C., sec. 496), Thursday, August 5, 1937, at 10:30 a. m.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold a public hearing in Room 219, House Office Building, Washington, D. C., Tuesday, August 10, 1937, at 10 a. m., on H. R. 8080, a bill "to establish a fund for the insurance of mortgages securing loans for the construction or reconditioning of floating property used for commercial purposes."

Persons desiring to testify are requested to notify the clerk of the committee. Parties who do not intend to testify, but who wish to submit a statement for the record, are requested to file such statement with the clerk of the committee not later than the date of the hearing.

For the information of those persons who intend to testify, it is the desire of the committee that amendments to be proposed during the hearing be submitted in writing to the clerk of the committee prior to the date of the hearing.

It is very important that notice of intention to testify—even though doubtful of fulfillment—be communicated to

the clerk of the committee at least 1 day in advance of the hearing. Otherwise unnecessary confusion and delay might arise, resulting in a reduction of the time available for presentation of testimony by witnesses.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

769. A letter from the Attorney General, transmitting a report showing the special assistants employed under an appropriation entitled "Pay of special assistant attorneys"; to the Committee on Expenditures in the Executive Departments.

770. A letter from the Secretary of War, transmitting the draft of a bill to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes"; to the Committee on Military Affairs.

771. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1938, for the Department of Agriculture, for dry-land agriculture, amounting to \$76,000 (H. Doc. No. 333); to the Committee on Appropriations and ordered to be printed.

772. A letter from the Attorney General, transmitting recommendation of a proposed bill to confer jurisdiction upon certain United States commissioners to try certain civil suits wherein the United States is plaintiff; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. CULLEN: Committee on Ways and Means. H. R. 8099. A bill to amend certain administrative provisions of the Tariff Act of 1930, and for other purposes; without amendment (Rept. No. 1429). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Connecticut: Committee on Military Affairs. S. 2401. An act for the relief of sergeant-instructors, National Guard, and for other purposes; without amendment (Rept. No. 1430). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILCOX: Committee on Military Affairs. H. R. 7985. A bill to promote air commerce by providing for the enlargement of Washington Airport; with amendment (Rept. No. 1431). Referred to the Committee of the Whole House on the state of the Union.

Mr. THURSTON: Committee on Coinage, Weights, and Measures. H. R. 7983. A bill to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the founding of Iowa Territory; with amendment (Rept. No. 1432). Referred to the Committee of the Whole House on the state of the Union.

Mr. PETERSON of Georgia: Committee on the Public Lands. H. R. 6748. A bill to establish a national land policy, and to provide homesteads free of debt for actual farm families; without amendment (Rept. No. 1433). Referred to the Committee of the Whole House on the state of the Union.

Mr. McREYNOLDS: Committee on Foreign Affairs. House Joint Resolution 473. Joint resolution to regulate the use of public streets and sidewalks within the District of Columbia adjacent to property owned or occupied by foreign governments for diplomatic purposes; without amendment (Rept. No. 1434). Referred to the House Calendar.

Mr. CARTWRIGHT: Committee on Roads. H. R. 7373. A bill to aid the several States in making, or for having made, certain toll bridges on the system of Federal-aid

highways free bridges, and for other purposes; with amendment (Rept. No. 1435). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DEEN: A bill (H. R. 8125) to amend section 77 of the judicial code, as amended, to create a Brunswick division in the southern district of Georgia, with terms of court to be held at Brunswick; to the Committee on the Judiciary.

By Mr. FORAND: A bill (H. R. 8126) to classify certain positions in the Railway Mail Service; to the Committee on the Post Office and Post Roads.

By Mr. HENDRICKS: A bill (H. R. 8127) to allow moving expenses to employees in the Railway Mail Service; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Maryland: A bill (H. R. 8128) requiring the deposit in a secure place ashore of the names and addresses of passengers sailing on vessels plying the inland or coastal waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. KENNEY: A bill (H. R. 8129) to amend the Interstate Commerce Act (pt. II); to the Committee on Interstate and Foreign Commerce.

By Mr. SABATH: A bill (H. R. 8130) conferring certain duties and powers upon the Attorney General in receivership, bankruptcy, and reorganization proceedings in the Federal courts; to the Committee on the Judiciary.

By Mr. TERRY: A bill (H. R. 8131) to provide for tuberculosis hospitals and their operation; to the Committee on Interstate and Foreign Commerce.

By Mr. McGRANERY: A bill (H. R. 8132) to establish a Division of Fine Arts in the Office of Education, Department of the Interior; to the Committee on Education.

By Mr. SMITH of Virginia: A bill (H. R. 8133) to establish a commercial airport in the vicinity of the National Capital; to the Committee on Public Buildings and Grounds.

By Mr. SPARKMAN: A bill (H. R. 8134) to quiet title and possession to certain lands in the Tennessee River, in the counties of Colbert and Lauderdale, Ala.; to the Committee on the Public Lands.

By Mr. MILLS: A bill (H. R. 8135) to provide relief for the American farmers for the fiscal year ending June 30, 1938; to the Committee on Appropriations.

By Mr. KELLER: A bill (H. R. 8136) authorizing retirement annuities for certain Librarians of Congress; to the Committee of the Library.

By Mr. SOMERS of New York: Resolution (H. Res. 294) creating a select committee of the House of Representatives to investigate and study the air-transport industry; to the Committee on Rules.

By Mr. LAMBERTSON: Resolution (H. Res. 295) to appoint a select committee of three Members of the House to investigate the construction of the proposed memorial to Thomas Jefferson at St. Louis, Mo.; to the Committee on Rules.

By Mr. CHANDLER: Resolution (H. Res. 296) to make H. R. 6963, a bill to establish a uniform system of bankruptcy throughout the United States, a special order of business; to the Committee on Rules.

By Mr. LEMKE: Joint resolution (H. J. Res. 474) making provisions for the refund of the processing tax on hogs marketed for slaughter by the raisers and producers who in fact bore all or part of the burden of such tax; to the Committee on Agriculture.

By Mr. JOHNSON of Minnesota: Joint resolution (H. J. Res. 475) proposing decentralization of building construction by the United States and immediate cessation of building construction for the United States Government in the District of Columbia and adjacent territory; to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FORAND: A bill (H. R. 8137) for the relief of Stuart Bastow; to the Committee on Claims.

By Mr. HOPE: A bill (H. R. 8138) granting a pension to Addaline Collins; to the Committee on Pensions.

By Mr. KITCHENS: A bill (H. R. 8139) for the relief of William L. Foster; to the Committee on Claims.

By Mr. LAMNECK: A bill (H. R. 8140) granting an increase of pension to Annie I. McCoy; to the Committee on Invalid Pensions.

By Mr. LEMKE: A bill (H. R. 8141) to pay to M. F. Gubrud, of Ambrose, N. Dak., \$261.75, money erroneously collected under protest, as duty on frozen wheat imported from Canada as feed for livestock, under the tariff act; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3097. By Mr. COFFEE of Washington: Petition of the Workers Alliance of Pierce County, Richard M. Cross, president, wherein 500 people, gathered at Pierce County courthouse, endorse the Schwellenbach-Allen joint resolution (S. J. Res. 176 and H. J. Res. 440) as a measure providing a minimum of justice to the unemployed, as a protection to organized labor, and as a means of community betterment and urge the passage of this bill by the Congress; to the Committee on Appropriations.

3098. By Mr. COLDEN: Petition of the Gardena Valley Milling Co., Inc., with 32 signatures, favoring the enactment of House bill 3144, for protection against the increasing flood of foreign egg products; to the Committee on Ways and Means.

3099. By Mr. LUTHER A. JOHNSON: Petition of George G. Chance, president, Bryan and Brazos County Chamber of Commerce, Bryan, Tex., opposing the Black-Connery labor bill; to the Committee on Labor.

3100. Also, petition of L. F. Barnhardt, Farmers Gin Co., Palmer, Tex., and J. Webb Howell, president and manager of the Bryan Cotton Oil & Fertilizer Co., of Bryan, Tex., opposing the Black-Connery wage and hour bill; to the Committee on Labor.

3101. Also, petition of Hon. Ed B. Hamilton, of Hillsboro, and Henry W. Flagg, president, Texas Wildlife Federation, Galveston, Tex., favoring House bill 7681, to provide that the United States shall aid the States in wildlife-restoration projects; to the Committee on Agriculture.

3102. By Mr. KEOGH: Petition of the Interstate Airways Committee, Washington, D. C., concerning the McCarran-Lea bill for air transport regulation; to the Committee on Interstate and Foreign Commerce.

3103. Also, petition of the Electrolux, Inc., New York City, concerning the Black-Connery wage and hour bill; to the Committee on Labor.

3104. Also, petition of the National Customs Service Association, George L. Connell, president, New York City, urging passage of the McCormack bills (H. R. 3 and 7948); to the Committee on Ways and Means.

3105. Also, petition of the Artists Union of New York, concerning the Schwellenbach-Allen resolution; to the Committee on Banking and Currency.

3106. By Mr. PFEIFER: Telegram of the Wholesale Clothing Clerks Union, Local 158, Amalgamated Clothing Workers of America, New York City, urging support of the wages-and-hours bill; to the Committee on Labor.

3107. Also, telegram of 35,000 members of the Amalgamated Clothing Workers in Greater New York, urging support of the Black-Connery bill; to the Committee on Labor.

3108. Also, telegram of the New York Clothing Cutters Union, Local 4, Amalgamated Clothing Workers of America,

New York City, urging support of the wage and hour bill; to the Committee on Labor.

3109. Also, petition of the Artists Union of New York, concerning the Schwellenbach-Allen joint resolution; to the Committee on Banking and Currency.

3110. Also, petition of the Electrolux, Inc., New York City, concerning the Black-Connery wage and hour bill; to the Committee on Labor.

SENATE

WEDNESDAY, AUGUST 4, 1937

(Legislative day of Thursday, July 22, 1937)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, August 3, 1937, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. LEWIS. I suggest the absence of a quorum, and ask that the roll be called.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Connally	King	Pittman
Andrews	Copeland	La Follette	Radcliffe
Ashurst	Davis	Lee	Reynolds
Austin	Dieterich	Lewis	Schwartz
Bailey	Donahay	Lodge	Schwellenbach
Barkley	Ellender	Logan	Sheppard
Berry	Frazier	Loneragan	Shipstead
Bilbo	George	Lundeen	Smathers
Black	Gerry	McAdoo	Smith
Bone	Gillette	McCarran	Steiwer
Borah	Glass	McGill	Thomas, Okla.
Bridges	Green	McKellar	Thomas, Utah
Brown, Mich.	Guffey	McNary	Townsend
Brown, N. H.	Hale	Maloney	Truman
Bulkley	Harrison	Minton	Tydings
Bulow	Hatch	Moore	Vandenberg
Burke	Herring	Murray	Van Nuys
Byrd	Hitchcock	Neely	Wagner
Byrnes	Holt	Nye	Walsh
Capper	Hughes	O'Mahoney	Wheeler
Chavez	Johnson, Calif.	Overton	White
Clark	Johnson, Colo.	Pepper	

Mr. LEWIS. I again announce that the Senator from Wisconsin [Mr. DUFFY] and the Senator from Georgia [Mr. RUSSELL] are absent from the Senate on official business as members of the committee appointed to attend the dedication of the battle monuments in France.

I further announce that the Senator from Arkansas [Mrs. CARAWAY] is unavoidably detained from the Senate, and the Senator from Idaho [Mr. POPE] is detained on official business.

Mr. AUSTIN. I announce that my colleague the junior Senator from Vermont [Mr. GIBSON] is absent in connection with his duty as a member of the committee to attend the dedication of the battle monuments in France.

Mr. SCHWELLENBACH. I announce that the Senator from Nebraska [Mr. NORRIS] is detained from the Senate because of illness.

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On July 30, 1937:

S. 2193. An act to authorize the construction of certain auxiliary vessels for the Navy.

On August 2, 1937:

S. 455. An act for the relief of J. R. Collie and Eleanor Y. Collie;

S. 534. An act granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River; and

S. 2086. An act to authorize the construction of a Federal reclamation project to furnish a water supply for the lands of the Arch Hurley Conservancy District in New Mexico.

On August 3, 1937:

S. 1067. An act for the relief of Asa J. Hunter;

S. 1143. An act for the relief of G. L. Tarlton; and

S. 1144. An act for the relief of the Frazier-Davis Construction Co.

TIFFANY CONSTRUCTION CO.

The VICE PRESIDENT laid before the Senate a letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, his report and recommendation on the claim of the Tiffany Construction Co. against the United States, which, with the accompanying paper, was referred to the Committee on Claims.

PETITIONS AND MEMORIAL

The VICE PRESIDENT laid before the Senate a resolution adopted by United Lodge, No. 4, of the International Order of Odd Fellows, of Denver, Colo., protesting against the imposition of certain taxes under the social security law upon lodges of the I. O. O. F. and other similar lodges in the United States, which was referred to the Committee on Finance.

Mr. LODGE presented petitions of sundry citizens of the State of Massachusetts, praying for the enactment of legislation to abolish the Federal Reserve System as at present constituted, and also praying that Congress exercise its constitutional right to coin money and regulate the value thereof, which were referred to the Committee on Banking and Currency.

Mr. COPELAND presented a petition of sundry citizens of Rochester and Stanley, N. Y., praying for the enactment of the joint resolution (S. J. Res. 10) proposing an amendment to the Constitution relating to the power of the Congress to declare war, which was referred to the Committee on the Judiciary.

WITHDRAWALS OF LAND IN SOUTHWESTERN ARIZONA

Mr. ASHURST. Mr. President, it has been the practice of the Senate for many years, when the request is made, to read from the desk any resolution agreed to by the legislature of a State and any communication from the Governor of a State. Therefore, following the practice of the Senate, I ask unanimous consent that the Secretary read from the desk a copy of a resolution unanimously agreed to by the Legislature of the State of Arizona, and I also ask that there be read a telegram from the Governor of the State of Arizona. These telegrams relate to a matter of such vital and transcendent importance that I wish here and now to make known to the Senate and the country the harmful results that would flow from a proposal alleged to be contemplated which would, if consummated, inflict a deadly wound on the State of Arizona.

The VICE PRESIDENT. Without objection, the clerk will read the telegrams.

The Chief Clerk read as follows:

PHOENIX, ARIZ., August 3, 1937.

Senator ASHURST,
Washington, D. C.

HONORABLE SIR: The following memorial was unanimously passed by the Legislature of the State of Arizona, a house memorial protesting against the proposed withdrawal of land in southwest Arizona as game refuge. To the Secretary of the Interior and the Chief of the Bureau of Biological Survey of the United States of America your memorialist respectfully represents: The total area of land within the State of Arizona is 72,838,400 acres. Of this area Indian reservations occupy 19,566,339 acres; national forests, 11,203,438 acres; national parks and monuments, 671,610 acres; military reservations, 72,008 acres. The public domain consists of something less than 13,000,000 acres. Two-thirds of the State's area is controlled by Federal bureaus. Less than one-fourth is subject to taxation. It is understood that the Bureau of Biological Survey has requested the Department of the Interior to have withdrawn